

WISCONSIN DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES



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STATE OF WISCONSIN
BEFORE THE DENTISTRY EXAMINING BOARD

IN THE MATTER OF DISCIPLINARY
PROCEEDINGS AGAINST

MARGARET ABOAGYE, D.D.S.,
RESPONDENT.

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FINAL DECISION AND ORDER

0003360

Division of Legal Services and Compliance Case No. 13 DEN 064

The parties to this action for the purpose of Wis. Stat. § 227.53 are:

Margaret Aboagye, D.D.S.
400 Lake Ave.
Racine, WI 53403

Wisconsin Dentistry Examining Board
P.O. Box 8366
Madison, WI 53708-8366

Division of Legal Services and Compliance
Department of Safety and Professional Services
P.O. Box 7190
Madison, WI 53707-7190

The parties in this matter agree to the terms and conditions of the attached Stipulation as the final disposition of this matter, subject to the approval of the Wisconsin Dentistry Examining Board (Board). The Board has reviewed this Stipulation and considers it acceptable.

Accordingly, the Board in this matter adopts the attached Stipulation and makes the following Findings of Fact, Conclusions of Law and Order.

FINDINGS OF FACT

1. Respondent Margaret Aboagye, D.D.S., (dob August 24, 1945) is licensed in the state of Wisconsin to practice dentistry, having license number 5001295-15, first granted on February 4, 1974, and current through September 30, 2015. Respondent's most recent address on file with the Wisconsin Department of Safety and Professional Services (Department) is 400 Lake Avenue, Racine, Wisconsin 53403.

2. On July 13, 2013, the Department received a complaint regarding the Respondent from Patient A.

3. On May 28, 2014, in response to a request from the Department, Respondent provided all her records concerning Patient A.

4. Respondent's records for Patient A routinely consisted of a short list of tooth numbers and surface abbreviations with no indication of why the tooth or surface was listed, or whether there was any treatment needed or performed.

5. Respondent failed to document conversations with the patient such as treatment plan and options.

6. In resolution of this matter, Respondent consents to the entry of the following Conclusions of Law and Order.

CONCLUSIONS OF LAW

1. The Wisconsin Dentistry Examining Board has jurisdiction to act in this matter pursuant to Wis. Stat. § 447.07(3), and is authorized to enter into the attached Stipulation pursuant to Wis. Stat. § 227.44(5).

2. Respondent's conduct constituted violations of Wis. Stat. § 447.07(3)(h) and Wis. Admin Code § DE 5.02(5) by practicing in a manner which substantially departs from the standard of care ordinarily exercised by a dentist which harms or could have harmed a patient.

3. As a result of the above violations, Margaret Aboagye, is subject to discipline pursuant to Wis. Stat. § 447.07(3)(h).

ORDER

1. The attached Stipulation is accepted.

2. Respondent Margaret Aboagye, D.D.S., is REPRIMANDED.

3. Respondent Margaret Aboagye, D.D.S.'s license (number 5001295-15) is LIMITED as follows:

a. Within six (6) months of the date of this Order, Respondent shall successfully complete: sixteen (16) hours of remedial education on the topics of record keeping, documentation, and risk management. These courses must be taken in person and may not be on-line courses. Successful completion requires that Respondent take and pass any examination offered for the course(s). Courses must be preapproved by the Board's designee. Courses taken without pre-approval may not be used to satisfy the education requirements of this Order.

b. Within thirty days of completion of preapproved remedial education, Respondent shall submit proof of successful completion in the form of verification from the institution or organization that provided the education.

c. Respondent is responsible for all costs associated with compliance with this educational requirement.

d. None of the remedial education completed pursuant to this requirement may be used to satisfy any continuing education requirements that have been or may be instituted by the Board or Department.

e. The Department shall remove this limitation from Respondent's license when Respondent has satisfied the Board's designee that Respondent has successfully completed the preapproved remedial education.

4. Within 90 days from the date of this Order, Respondent shall pay COSTS of this matter in the amount of \$400.00, payable as set out in paragraph 5 of this Order.

5. Payment of costs shall be made payable to the Wisconsin Department of Safety and Professional Services and sent by Respondent to the Department Monitor at the address below:

Department Monitor
Division of Legal Services and Compliance
Department of Safety and Professional Services
P.O. Box 7190, Madison, WI 53707-7190
Telephone (608) 267-3817; Fax (608) 266-2264
DSPSMonitoring@wisconsin.gov

6. Violation of any of the terms of this Order, including failure to complete remedial education or pay costs as required, may be construed as conduct imperiling public health, safety and welfare and may result in a summary suspension of Respondent's license. The Board in its discretion may in the alternative impose additional conditions and limitations or other additional discipline for a violation of any of the terms of this Order. In the event Respondent fails to timely submit payment of costs as ordered, Respondent's license (no. 5001295-15) may, in the discretion of the Board or its designee, be SUSPENDED, without further notice or hearing, until Respondent has complied with payment of forfeiture and costs.

7. This Order is effective on the date of its signing.

WISCONSIN DENTISTRY EXAMINING BOARD

by:


A Member of the Board

9-3-14
Date

STATE OF WISCONSIN
BEFORE THE DENTISTRY EXAMINING BOARD

IN THE MATTER OF DISCIPLINARY
PROCEEDINGS AGAINST

MARGARET ABOAGYE, D.D.S.,
RESPONDENT.

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STIPULATION

0003360

Division of Legal Services and Compliance Case No. 13 DEN 064

Respondent Margaret Aboagye, D.D.S., and the Division of Legal Services and Compliance, Department of Safety and Professional Services stipulate as follows:

1. This Stipulation is entered into as a result of a pending investigation by the Division of Legal Services and Compliance. Respondent consents to the resolution of this investigation by Stipulation.

2. Respondent understands that by signing this Stipulation, Respondent voluntarily and knowingly waives the following rights:

- the right to a hearing on the allegations against Respondent, at which time the State has the burden of proving those allegations by a preponderance of the evidence;
- the right to confront and cross-examine the witnesses against Respondent;
- the right to call witnesses on Respondent's behalf and to compel their attendance by subpoena;
- the right to testify on Respondent's own behalf;
- the right to file objections to any proposed decision and to present briefs or oral arguments to the officials who are to render the final decision;
- the right to petition for rehearing; and
- all other applicable rights afforded to Respondent under the United States Constitution, the Wisconsin Constitution, the Wisconsin Statutes, the Wisconsin Administrative Code, and other provisions of state or federal law.

3. Respondent is aware of Respondent's right to seek legal representation and has been provided an opportunity to obtain legal counsel before signing this Stipulation.

4. Respondent agrees to the adoption of the attached Final Decision and Order by the Wisconsin Dentistry Examining Board (Board). The parties to the Stipulation consent to the entry of the attached Final Decision and Order without further notice, pleading, appearance or consent of the parties. Respondent waives all rights to any appeal of the Board's order, if adopted in the form as attached.

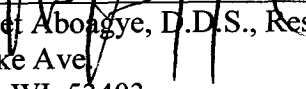
5. If the terms of this Stipulation are not acceptable to the Board, the parties shall not be bound by the contents of this Stipulation, and the matter shall then be returned to the Division

of Legal Services and Compliance for further proceedings. In the event that the Stipulation is not accepted by the Board, the parties agree not to contend that the Board has been prejudiced or biased in any manner by the consideration of this attempted resolution.

6. The parties to this Stipulation agree that the attorney or other agent for the Division of Legal Services and Compliance and any member of the Board ever assigned as an advisor in this investigation may appear before the Board in open or closed session, without the presence of Respondent, for purposes of speaking in support of this agreement and answering questions that any member of the Board may have in connection with deliberations on the Stipulation. Additionally, any such advisor may vote on whether the Board should accept this Stipulation and issue the attached Final Decision and Order.

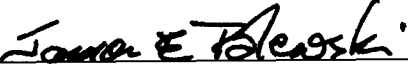
7. Respondent is informed that should the Board adopt this Stipulation, the Board's Final Decision and Order is a public record and will be published in accordance with standard Department procedure.

8. The Division of Legal Services and Compliance joins Respondent in recommending the Board adopt this Stipulation and issue the attached Final Decision and Order.



Margaret Aboagye, D.D.S., Respondent
400 Lake Ave.
Racine, WI 53403
License no. 5001295-15

7-15-14
Date



James E. Polewski, Attorney
Division of Legal Services and Compliance
P.O. Box 7190
Madison, WI 53707-7190

July 8, 2014
Date