

## WISCONSIN DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES



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STATE OF WISCONSIN  
BEFORE THE DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES

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IN THE MATTER OF A PETITION FOR AN	:	
ADMINISTRATIVE INJUNCTION	:	
INVOLVING	:	
	:	ADMINISTRATIVE INJUNCTION
JEFFERY J. BECKER, D.D.S.,	:	
RESPONDENT.	:	

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0003501

Division of Legal Services and Compliance Case No. 14 UNL 077

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

Dr. Jeffery J. Becker, D.D.S.  
Todd W. Newkirk, J.D.  
Frank R. Recker & Associates, Co., LPA  
85 East Gay Street, Suite 910  
Columbus, OH 43215

Wisconsin Department of Safety and Professional Services  
P.O. Box 8368  
Madison, WI 53708-8368

Division of Legal Services and Compliance  
Wisconsin 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 Department of Safety and Professional Services (Department). The Department has reviewed this Stipulation and considers it acceptable.

Accordingly, the Department adopts the attached Stipulation and makes the following Findings of Fact, Conclusions of Law and Order.

FINDINGS OF FACT

1. Respondent Jeffrey J. Becker, D.D.S., (dob September 8, 1959) was previously licensed in the state of Wisconsin to practice dentistry, having had license number 4706-15, first issued on July 21, 1995. On August 6, 2014, a hearing official summarily suspended Respondent's license to practice dentistry. On October 24, 2014, the Administrative Law Judge accepted Respondent's voluntarily permanent surrender that license.

2. Respondent reports his current address as 6015 West Forrest Home Avenue, Unit 1, Milwaukee, Wisconsin 53220.

3. Between approximately August 6, 2014, and September 14, 2014, Respondent engaged in the practice of dentistry in Wisconsin without a credential authorizing him to practice dentistry in Wisconsin.

4. Respondent agrees that he will not be present at any location in the state of Wisconsin in which dentistry is practiced, except as a patient.

5. Respondent agrees that, as of the date of this Order, if Respondent is present at any location in the state of Wisconsin in which dentistry is practiced and he is not a patient, his presence is conclusive evidence that he is holding himself out as one authorized to engage in the practice of dentistry in Wisconsin.

6. Respondent denies the conduct set out in paragraph 3, but is represented by counsel and agrees to the Conclusions of Law and Order below.

#### CONCLUSIONS OF LAW

1. The Wisconsin Department of Safety and Professional Services has jurisdiction in this matter pursuant to Wis. Admin. Code ch. SPS 3 and Wis. Stat. § 440.21, and is authorized to enter into the attached Stipulation and Order pursuant to Wis. Stat. § 227.44(5).

2. Wisconsin Statute § 447.01(8), defines “dentistry” as:

the examination, diagnosis, treatment, planning or care of conditions within the human oral cavity or its adjacent tissues and structures.

3. Pursuant to Wis. Stat. § 447.03(1)(a), no person may practice or offer to practice dentistry unless he or she is licensed that authorizes him or her to practice dentistry.

4. The conduct described above constitutes the unlicensed practice of dentistry, contrary to Wis. Stat. § 447.03(1)(a).

#### ORDER

1. The attached stipulation is accepted.

2. Unless and until Respondent is properly licensed to practice dentistry in the state of Wisconsin, Respondent is enjoined and prohibited from the practice of dentistry in the state of Wisconsin, and from holding himself as one so authorized. Violation of this special order may result in a forfeiture of up to \$10,000 for each day of violation. See Wis. Stat. § 440.21(4)(a).

3. Based on the parties’ Stipulation, Respondent’s presence at any location in which dentistry is practiced in Wisconsin, except as a patient, shall be conclusive evidence that

Respondent was holding himself out as one authorized to practice dentistry in the state of Wisconsin.

4. If the Department determines that there is probable cause to believe that Respondent has violated any terms of this Administrative Injunction, the Department may refer the violations covered by this decision and order to any appropriate prosecutorial unit for review for possible criminal charges.

WISCONSIN DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES

Issued at Madison, Wisconsin, this 26<sup>th</sup> day of October, 2014.

By:



Michael J. Berndt, Chief Counsel  
On behalf of the Department

STATE OF WISCONSIN  
BEFORE THE DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES

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IN THE MATTER OF A PETITION FOR AN :  
ADMINISTRATIVE INJUNCTION INVOLVING :

JEFFERY J. BECKER, D.D.S., :  
RESPONDENT. :

STIPULATION

**0003501**

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Division of Legal Services and Compliance Case No. 14 UNL 077

Respondent Jeffery J. Becker, 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 denies the allegations, but agrees that the Findings of Fact are sufficient to justify the Conclusions of Law and Order attached and has consented to entry of this Order of Injunction

4. 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. Respondent is represented by Todd Newkirk.

5. The parties enter into this Stipulation as part of the agreed upon resolution in DLSC Case Nos. 13 DEN 001, 13 DEN 124 and 13 DEN 129.

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6. The parties agree that Respondent shall not be present at any location in which dentistry is practiced in the state of Wisconsin except as a patient.

7. The parties agree that Respondent's presence at any location in which dentistry is practiced in the state of Wisconsin, except as a patient, shall be conclusive evidence that he is holding himself out as one authorized to practice dentistry in the state of Wisconsin, in violation of the Administrative Injunction granted in this matter.

8. Respondent agrees to the adoption of the attached Administrative Injunction by the Department. The parties to the Stipulation consent to the entry of the attached Order of Injunction without further notice, pleading, appearance or consent of the parties. Respondent waives all rights to any appeal of the Department's order, if adopted in the form as attached.

9. If the terms of this Stipulation are not acceptable to the Department, 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 Department, the parties agree not to contend that the Department has been prejudiced or biased in any manner by the consideration of this attempted resolution.

10. The parties to this Stipulation agree that the attorney for the Department of Safety and Professional Services may appear before the Department for the purposes of speaking in support of this agreement and answering questions that the Department may have in connection with deliberations on this Stipulation.

11. Respondent is informed that should the Department adopt this Stipulation; the Department's Order of Injunction is a public record and will be published in accordance with standard Department procedure.

12. The Division of Legal Services and Compliance joins Respondent in recommending the Department adopt this Stipulation and issue the attached Administrative Injunction.

  
Jeffery Becker, D.D.S., Respondent

Date

10-17-14

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Todd W. Newkirk, Attorney for Respondent  
Frank R. Recker & Associates, Co., LPA  
85 East Gay Street, Suite 910

\_\_\_\_\_  
Date

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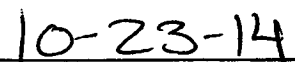
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\_\_\_\_\_  
Jeffery Becker, D.D.S., Respondent

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Date

  
\_\_\_\_\_  
Todd W. Newkirk, Attorney for Respondent  
Frank R. Recker & Associates, Co., LPA  
85 East Gay Street, Suite 910  
Columbus, OH 43215

  
\_\_\_\_\_  
Date

 10/17/14

Sandra L. Nowack, Lead Attorney Date

State Bar Number 1025643

Department of Safety and Professional Services

Division of Legal Services and Compliance

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