

## WISCONSIN DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES



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STATE OF WISCONSIN  
BEFORE THE DENTISTRY EXAMINING BOARD

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IN THE MATTER OF DISCIPLINARY  
PROCEEDINGS AGAINST

REBECCA J. SWENSON, D.D.S.  
RESPONDENT.

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FINAL DECISION AND ORDER

**0003521**

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Division of Legal Services and Compliance Case No. 12 DEN 091

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

Rebecca J. Swenson, D.D.S.  
1800 West Mason Street  
Green Bay, WI 54303

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 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 Rebecca J. Swenson, D.D.S., (dob May 15, 1952) is licensed in the state of Wisconsin to practice dentistry, having license number 3682-15, first issued on August 6, 1986, and current through September 30, 2015. Respondent's most recent address on file with the Wisconsin Department of Safety and Professional Services (Department) is 1800 West Mason Street, Green Bay, Wisconsin 54303.

2. At all times relevant to this proceeding, Respondent was employed as a dentist at a clinic located in Ashwaubenon, Wisconsin.

3. On August 20, 2012, Respondent saw Patient A for an examination, consultation, and a panoramic radiograph. The examination revealed non-restorable caries throughout Patient A's mouth.
4. Respondent discussed treatment options with Patient A. Patient A elected full mouth extraction with oral conscious sedation.
5. Respondent dispensed two (2) tablets of diazepam to Patient A as a pre-operative sedative to be taken the night before surgery.
6. On August 23, 2012, Patient A informed Respondent that she had been non-compliant with Respondent's instruction and did not take the prescribed diazepam.
7. Respondent administered .25 mg triazolam and 50 mg hydroxine sublingually prior to performing the full-mouth extraction on Patient A. The upper and lower dentures were inserted, hemostasis was established with biting pressure and hemostatic gauze. Patient A was discharged from the clinic.
8. Shortly after leaving the clinic, Patient A began to experience heavy bleeding and pain related to the extraction.
9. Respondent determined Patient A needed sutures in the upper and lower arch.
10. During the second procedure, Patient A became disruptive and Respondent lost her temper.
11. Respondent has been fully cooperative with the Board's investigation.
12. 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, and is authorized to enter into the attached Stipulation pursuant to Wis. Stat. § 227.44(5).
2. By the conduct described in the Findings of Fact, Rebecca J. Swenson, D.D.S., engaged in unprofessional conduct as defined in 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, Rebecca J. Swenson, D.D.S., is subject to discipline pursuant to Wis. Stat. §§ 447.07(3)(a) and (f).

#### ORDER

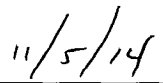
1. The attached Stipulation is accepted.

2. Respondent Rebecca J. Swenson, D.D.S., is REPRIMANDED.
3. The Board accepts successful completion of the following remedial education courses in satisfaction of education the Board would have otherwise ordered:
  - a. On April 25, 2014, *Communication with Difficult Patients*, presented by Kimberly Werth, RDH, MA, 6 credits.
  - b. On March 1, 2014, *8 Tools of Anger Control*, presented by Ari Novick, Ph.D., and Tony Fiore, Ph.D.
4. Within ninety (90) days from the date of this Order, Rebecca J. Swenson, D.D.S., shall pay the COSTS of this matter in the amount of \$1,500.00.
5. Payment of costs (made payable to the Wisconsin Department of Safety and Professional Services) shall be 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](mailto:DSPSMonitoring@wisconsin.gov)
6. Violation of any of the terms of this Order 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 set forth above, Respondent's license (no. 3682-15) may, in the discretion of the Board or its designee, be SUSPENDED, without further notice or hearing, until Respondent has complied with payment of costs and completion of the education.
7. This Order is effective on the date of its signing.

WISCONSIN DENTISTRY EXAMINING BOARD

by:   
A Member of the Board

  
Date

STATE OF WISCONSIN  
BEFORE THE DENTISTRY EXAMINING BOARD

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IN THE MATTER OF DISCIPLINARY  
PROCEEDINGS AGAINST

REBECCA J. SWENSON, D.D.S.,  
RESPONDENT.

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STIPULATION

0003521

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Division of Legal Services and Compliance Case No. 12 DEN 091

Respondent Rebecca J. Swenson, 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. Respondent is represented by Linda V. Meagher.

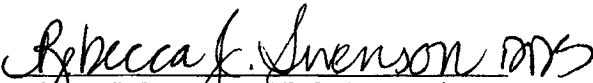
4. Respondent agrees to the adoption of the attached Final Decision and Order by the Wisconsin Dentistry Examining Board (Board). The parties to the Stipulation consent to the entry of the attached Final Decision and Order without further notice, pleading, appearance or consent of the parties. Respondent 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 or Respondent's attorney, 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.

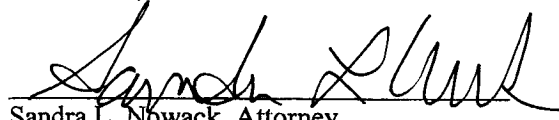
8. The Division of Legal Services and Compliance joins Respondent in recommending the Board adopt this Stipulation and issue the attached Final Decision and Order.

  
Rebecca J. Swenson, D.D.S., Respondent  
1800 West Mason Street  
Green Bay, WI 54303  
License no. 3682-15

10/13/14  
Date

  
Linda V. Meagher, Attorney for Respondent  
Gonzalez Saggio Harlan  
111 E. Wisconsin Ave., Suite 1000  
Milwaukee, WI 53202

10/17/2014  
Date

  
Sandra L. Nowack, Attorney  
State Bar Number 1025643  
Department of Safety and Professional Services  
Division of Legal Services and Compliance  
P.O. Box 7190  
Madison, WI 53707-7190  
Tel. (608) 266-8098  
[sandra.nowack@wisconsin.gov](mailto:sandra.nowack@wisconsin.gov)

10/23/14  
Date