

WISCONSIN DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES



Wisconsin Department of Safety and Professional Services Access to the Public Records of the Reports of Decisions

This Reports of Decisions document was retrieved from the Wisconsin Department of Safety and Professional Services website. These records are open to public view under Wisconsin's Open Records law, sections 19.31-19.39 Wisconsin Statutes.

Please read this agreement prior to viewing the Decision:

- The Reports of Decisions is designed to contain copies of all orders issued by credentialing authorities within the Department of Safety and Professional Services from November, 1998 to the present. In addition, many but not all orders for the time period between 1977 and November, 1998 are posted. Not all orders issued by a credentialing authority constitute a formal disciplinary action.
- Reports of Decisions contains information as it exists at a specific point in time in the Department of Safety and Professional Services data base. Because this data base changes constantly, the Department is not responsible for subsequent entries that update, correct or delete data. The Department is not responsible for notifying prior requesters of updates, modifications, corrections or deletions. All users have the responsibility to determine whether information obtained from this site is still accurate, current and complete.
- There may be discrepancies between the online copies and the original document. Original documents should be consulted as the definitive representation of the order's content. Copies of original orders may be obtained by mailing requests to the Department of Safety and Professional Services, PO Box 8935, Madison, WI 53708-8935. The Department charges copying fees. *All requests must cite the case number, the date of the order, and respondent's name* as it appears on the order.
- Reported decisions may have an appeal pending, and discipline may be stayed during the appeal. Information about the current status of a credential issued by the Department of Safety and Professional Services is shown on the Department's Web Site under "License Lookup."

The status of an appeal may be found on court access websites at:

<http://ccap.courts.state.wi.us/InternetCourtAccess> and <http://www.courts.state.wi.us/wscga>

- Records not open to public inspection by statute are not contained on this website.

By viewing this document, you have read the above and agree to the use of the Reports of Decisions subject to the above terms, and that you understand the limitations of this on-line database.

Correcting information on the DSPS website: An individual who believes that information on the website is inaccurate may contact DSPS@wisconsin.gov

STATE OF WISCONSIN
BEFORE THE DENTISTRY EXAMINING BOARD

IN THE MATTER OF DISCIPLINARY :
PROCEEDINGS AGAINST :
 : FINAL DECISION AND ORDER
DOUGLAS L. COOK, D.D.S., :
RESPONDENT. :

0004798

Division of Legal Services and Compliance Case 15 DEN 028

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

Douglas L. Cook, D.D.S.
10971 Clinic Rd.
Suring, WI 54174

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 Douglas L. Cook, D.D.S., (dob October 22, 1930) is licensed in the state of Wisconsin to practice dentistry, having license number 4001042-15, first issued on August 25, 1954 and current through September 30, 2017. Respondent's most recent address on file with the Wisconsin Department of Safety and Professional Services (Department) is 10971 Clinic Road, Suring, Wisconsin 54174.

2. At all times relevant to this proceeding, Respondent practiced dentistry in Suring, Wisconsin.

3. Computerized Electro Dermal Screening (CEDS) measures the electrical conductivity of the skin, using the same general principle as lie detectors. The test subject holds a metal bar while the operator applies a probe to acupuncture meridians or points on the subject's hand. The contacts are kept wet to facilitate conductivity. The probe completes a circuit and an electric current is transmitted through the circuit. Typically the machine emits a sound that corresponds to the level of conduction. Ultimately the machine beeps when the test is complete. The amount of conduction indicates inflammation, stagnation and/or degeneration of body organs.

4. Readings on the CEDS are dependent on the amount of pressure the user applies, the angle at which the user positions the probe, the amount of moisture applied to the skin at the contact points and whether the user stretches or contracts the skin where the contact occurs.

5. Computerized electrodermal testing has not been proven to have any benefit to human health and its use in the practice of dentistry creates an unacceptable risk of misdiagnosis.

6. The Food and Drug Administration has granted market clearance to the EDS only for biofeedback. Use of the EDS machines for the purpose of detecting pathologies in oral cavities is not approved and marketing for that purpose is not permissible.

7. Respondent uses a CEDS to diagnose Ehlers-Danlos Syndrome (EDS). EDS is a genetic collagen disease which presents primarily as a dermatological and joint disorder, and can manifest in the oral cavity.

8. Respondent authored a book, *Rescued By My Dentist: New Solutions to a Health Crisis*, in which he contends that problems associated with energy in the oral cavity can cause poor health and, "Checking these areas with CEDS is essential for finding underlying pathology."

9. In his book, Respondent opines the following:

- a. All metal fillings and all composites that contain aluminum oxide, fluoride and iron oxide can be a health burden. Barium in composites should also be checked with CEDS for compatibility;
- b. Metal oxides in composites are an ongoing problem to all patients;
- c. Tooth implants are not energetically acceptable in the oral cavity and are the least acceptable way to replace missing teeth. Partial dentures and bridges are preferable to tooth implants;
- d. Any metal that crosses the midline of our body also affects [sic] energy. Example: jewelry, glasses frames, and metal partial dentures.
- e. Dental materials used to restore or replace missing teeth need to be tested with CEDS for compatibility.
- f. Only a few labs will make unshaded Premise indirect. Flint Cook Dental Lab is one of these labs that can meet your dental needs.

10. Prior to testing with the CEDS, Respondent requires patients to sign an informed consent form in which Respondent asserts:

The statement of intended use has not been evaluated by the Food and Drug Administration. This test unit has not been evaluated by the Food and Drug Administration. This test unit is not intended to diagnose, treat, cure, or prevent any disease.

11. Respondent uses this diagnosis to justify the removal of existing metal implants, crowns, inlays, onlays, bridges and composites that contain aluminum oxide, fluoride or iron oxide. Respondent replaces these components with dental material that he purports are free of metal.

12. Respondent asserts in his book that “Dental materials used to restore or replace missing teeth need to be tested with CEDS for compatibility. Compatible dentistry may save patients from a lifetime of prescriptions and poor health.”

13. Respondent’s use of the CEDS as a diagnostic tool is not recognized by the American Dental Association.

14. A YouTube video of Respondent presenting to the International Academy of Oral Medicine and Toxicology in 2010, depicts him teaching about CEDS and dental materials.¹ Included in his lecture was the following advice:

One of the other important things we want to take a look at is, how do we get around the Dental Boards. This has been an issue that has been brought up to me several times by different dentists in different states. The important thing is to belong to an Institutional Board of Review... we have one, it’s called the American Association of Acupuncture and Bioenergetic Medicine. They’re located in Honolulu (808-591-2845). What you have to do is join their group and they will get you listed on as an IRB member.

...

About ten years ago the Dental Board came after me for electrodermal screening and using the oral potential meter. The oral potential meter has been okay’d by the FDA to be sold to medical professionals but not the electrodermal screening; however, being in a research program, they left me alone. Ten years so far they left me alone...”

15. Respondent practices as a specialist in a dental specialty without successfully completing a post-doctoral educational training program approved by the Commission on Dental Accreditation of the American Dental Association in a specialty recognized by the American Dental Association.

16. Respondent denies all wrong-doing. In resolution of this matter, Respondent consents to the entry of the following Conclusions of Law and Order.

¹ <https://youtu.be/pfyeSk9LgNo>

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. Respondent uses the EDS machine for purposes other than a “biofeedback device,” which is defined at 21 CFR 882.5050 as:

An instrument that provides a visual or auditory signal corresponding to the status of one or more of a patient’s physiological parameters (e.g., brain alpha wave activity, muscle activity, skin temperature, etc.) **so that the patient can control voluntarily these physiological parameters.**

3. By the conduct described in the Findings of Fact, Douglas L. Cook, D.D.S., engaged in unprofessional conduct as defined by 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.

4. By the conduct described in the Findings of Fact, Douglas L. Cook, D.D.S., engaged in unprofessional conduct as defined by Wis. Admin. Code § DE 5.02(12), advertising in a manner which is false, deceptive, or misleading.

5. By the conduct described in the Findings of Fact, Douglas L. Cook, D.D.S., engaged in unprofessional advertising in violation of Wis. Admin. Code § DE 6.02(4)(c), by practicing as a specialist in a dental specialty without successfully completing a post-doctoral educational training program approved by the Commission on Dental Accreditation of the American Dental Association in a specialty recognized by the American Dental Association.

6. As a result of the above violations, Douglas L. Cook, D.D.S., is subject to discipline pursuant to Wis. Stat. § 447.07(3)(a), (f), (m) and (o).

ORDER

1. The attached Stipulation is accepted.

2. Respondent Douglas L. Cook, D.D.S., is REPRIMANDED.

3. The license to practice dentistry in the state of Wisconsin issued to Douglas L. Cook, D.D.S., (license number 4001042-15) is LIMITED to prohibit Respondent from using CEDS in his dentistry practice.

4. This limitation shall be removed only after Respondent petitions the Board and demonstrates to the Board’s satisfaction that the use of the CEDS device is appropriate in the practice of dentistry.

5. Should the Board permit Respondent to use the CEDS in the future, the Board may impose limitations on its use that the Board deems appropriate to ensure the validity of care provided and to protect the safety of patients and the public.

6. Within ninety (90) days from the date of this Order, Douglas L. Cook, D.D.S., shall pay COSTS of this matter in the amount of \$850.00.

7. 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

8. 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 ordered, or uses CEDS in the practice of dentistry, Respondent's license (no. 4001042-15) 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 discontinues the use of CEDS.

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

WISCONSIN DENTISTRY EXAMINING BOARD



7-6-16

by:

A Member of the Board

Date

STATE OF WISCONSIN
BEFORE THE DENTISTRY EXAMINING BOARD

IN THE MATTER OF DISCIPLINARY
PROCEEDINGS AGAINST

DOUGLAS L. COOK, D.D.S.,
RESPONDENT.

:
:
:
:
:

STIPULATION

0004798

Division of Legal Services and Compliance Case No. 15 DEN 028

Respondent Douglas L. Cook, 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 Patrick Sullivan.

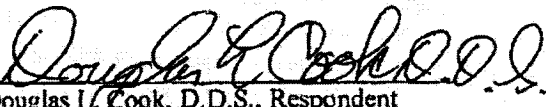
4. Respondent agrees to the adoption of the attached Final Decision and Order by the Wisconsin Dentistry Examining Board (Board). The parties to the Stipulation consent to the entry of the attached Final Decision and Order without further notice, pleading, appearance or consent of the parties. Respondent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

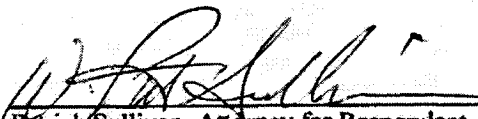
6. The parties to this Stipulation agree that the attorney or other agent for the Division of Legal Services and Compliance and any member of the Board ever assigned as an advisor in this investigation may appear before the Board in open or closed session, without the presence of Respondent or Respondent's 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.

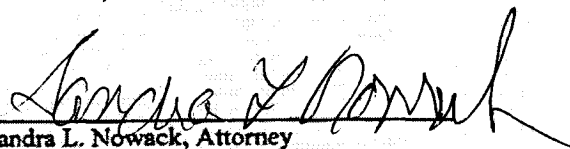
8. The Division of Legal Services and Compliance joins Respondent in recommending the Board adopt this Stipulation and issue the attached Final Decision and Order.


Douglas L. Cook, D.D.S., Respondent
10971 Clinic Rd.
Suring, WI 54174
License no. 4001042-15

5/2/16
Date


Patrick Sullivan, Attorney for Respondent
Siesennop & Sullivan
200 N. Jefferson St.
Milwaukee, WI 53202

5/3/16
Date


Sandra L. Nowack, Attorney
Department of Safety and Professional Services
Division of Legal Services and Compliance
P.O. Box 7190
Madison, WI 53707-7190
Tel. (608) 266-8098
Fax (608) 266-2264
sandra.nowack@wisconsin.gov

5/3/16
Date