

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 :
: FINAL DECISION AND ORDER
JAMES J. BLONG, D.D.S., :
RESPONDENT. :

0005193

Division of Legal Services and Compliance Case No. 16 DEN 098

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

James J. Blong, D.D.S.
109 View Point Pl.
Winter Springs, FL 32708

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 James J. Blong, D.D.S., DOB January 28, 1954, is licensed in the State of Wisconsin to practice dentistry, having license number 2979-15, first issued on June 28, 1982 and current through September 30, 2017. Respondent's most recent address on file with the Wisconsin Department of Safety and Professional Services (Department) is 109 View Point Place, Winter Springs, Florida 32708.

Prior discipline

2. On November 1, 1995, in Order #DE1768, the Board found that Respondent engaged in unprofessional conduct by having been convicted in the United States District Court,

District of Colorado, of one (1) count of distribution of one (1) kilogram of cocaine. Respondent, in the United States District Court, Eastern District of Michigan, was also convicted of conspiring to possess with intent to distribute over ½ kilogram of cocaine. Respondent was sentenced to 24 months imprisonment with five (5) years of supervised release in Colorado and five (5) years imprisonment with five (5) years supervised released in Michigan to run concurrent with the Colorado sentence. The Colorado Board of Dental Examiners revoked Respondent's license to practice dentistry based on his convictions and failure to report a malpractice payment settlement.

3. The Board suspended Respondent's license for five (5) years and stayed the suspension effective June 1, 1996. The Board also placed significant limitations on Respondent's license and practice, including no prescribing, dispensing, administering or ordering controlled substances, and that Respondent could not reapply for Drug Enforcement Agency (DEA) registration until the terms of his limited license has been satisfied or until the Board modified the terms to permit prescribing, dispensing, administering or ordering of control substances.

4. On May 7, 1997, the Board found that Respondent violated Order #DE1768 by reapplying for his DEA registration prior to the terms of his limited license being satisfied and without Board modifications to permit prescribing, dispensing, administering or ordering controlled substances. The Board issued Respondent a reprimand and forfeiture.

5. On November 7, 2001, Respondent was granted a full, unlimited license to practice dentistry.

6. At all times relevant to this proceeding, Respondent was employed as a dentist and regional clinic director at a clinic, located in Kenosha, Wisconsin.

7. On July 27, 2013, Respondent conducted a new patient exam on Patient A.

8. Respondent failed to review Patient A's panoramic x-ray during the exam and subsequently failed to diagnose Patient A with mandibular ameloblastoma.

9. A medical review panel found that Respondent's failure to diagnose Patient A's mandibular ameloblastoma resulted in Patient A undergoing a more extensive jaw surgery than if the tumor had been diagnosed at the first exam.

10. Respondent stated to the Department that the panoramic x-ray was not available at the time of the examination and he failed to review the panoramic x-ray after it was taken. He takes responsibility for his error and is remorseful.

11. 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, James J. Blong, 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.

3. As a result of the above violations, James J. Blong, D.D.S., is subject to discipline pursuant to Wis. Stat. § 447.07(3)(a).

ORDER

1. The attached Stipulation is accepted.

2. Respondent James J. Blong, D.D.S., is REPRIMANDED.

3. The license to practice dentistry issued to James J. Blong, D.D.S., (license number 2979-15) is LIMITED as follows:

- a. Within ninety (90) days of the date of this Order, Respondent shall successfully complete eight (8) hours of education on the topic of treatment planning and eight (8) hours of education on the topic of risk management offered by a provider pre-approved by the Board's monitoring liaison, including taking and passing any exam offered for the courses.
- b. All education completed pursuant to this Order shall be taken in-person. Education, such as webinar, online, or self-study shall not be approved.
- c. Respondent shall submit proof of successful completion of the ordered education in the form of verification from the institution providing the education to the Department Monitor at the address stated below.
- d. None of the 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, and also may not be used in future attempts to upgrade a credential in Wisconsin.
- e. This limitation shall be removed from Respondent's license after satisfying the Board or its designee that Respondent has successfully completed all of the ordered education.

4. Within ninety (90) days from the date of this Order, James J. Blong, D.D.S., shall pay COSTS of this matter in the amount of \$393.00.

5. Request for approval of courses, proof of successful course completion and 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:

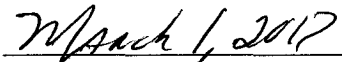
Department Monitor
Division of Legal Services and Compliance
Department of Safety and Professional Services
P.O. Box 7190, Madison, WI 53707-7190
Telephone (608) 267-3817; Fax (608) 266-2264
DSPSMonitoring@wisconsin.gov

6. In the event that Respondent violates any term of this Order, Respondent's license (no. 2979-15) to practice dentistry in the state of Wisconsin may, in the discretion of the Board or its designee, be SUSPENDED, without further notice or hearing, until Respondent has complied with the terms of the Order. The Board may, in addition and/or in the alternative, refer any violation of this Order to the Division of Legal Services and Compliance for further investigation and action.

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

IN THE MATTER OF DISCIPLINARY
PROCEEDINGS AGAINST

JAMES J. BLONG, D.D.S.,
RESPONDENT.

:
:
:
:
:
:

STIPULATION

0005193

Division of Legal Services and Compliance Case No. 16 DEN 098

Respondent James J. Blong, 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.

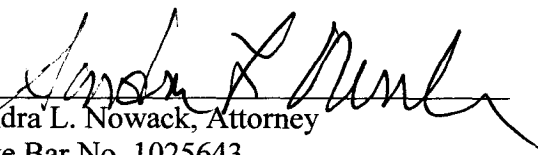
8. The Division of Legal Services and Compliance joins Respondent in recommending the Board adopt this Stipulation and issue the attached Final Decision and Order.



James J. Blong, D.D.S., Respondent
109 View Point Pl.
Winter Springs, FL 32708
License no. 2979-15

1/24/17

Date



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sandra.nowack@wisconsin.gov

1/31/17

Date