

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
CAMERON J. OCHSNER, D.D.S., :
RESPONDENT. :

0005488

Division of Legal Services and Compliance Case No. 16 DEN 094

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

Cameron J. Ochsner, D.D.S.
491 Rushmore Lane
Madison, WI 53711

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 Cameron J. Ochsner, D.D.S. (dob May 28, 1974) is licensed in the State of Wisconsin to practice dentistry, having license number 5132-15, first issued on June 24, 1999, and current through September 30, 2019. Respondent's most recent address on file with the Wisconsin Department of Safety and Professional Services (Department) is 491 Rushmore Lane, Madison, Wisconsin 53711.

2. On June 26, 2001, Respondent was also issued a license (no. DDS-08113) to practice dentistry by the State of Iowa Dental Board.

3. In October 2015, Respondent moved to Wisconsin and allowed his Iowa license to lapse as of August 31, 2016.

4. At all times relevant to this proceeding, Respondent was employed as a dentist at a dental clinic (Clinic) located in Waukon, Iowa.

PATIENT A

5. Between August 2012 and July 2015, approximately every 6 (six) months, Respondent saw Patient A, a minor born in 2009, for dental exams and treatments.

6. On March 18, 2014 and July 30, 2015, Respondent noted in Patient A's treatment records that Patient A had stained tooth 11d ("d" indicating deciduous or baby teeth) and 19d respectively (lower teeth from left to right baby teeth).

7. Respondent failed to take radiographs while providing treatment for Patient A and/or failed to document if radiographs were attempted but unable to complete for Patient A.

8. On May 31, 2016, Patient A saw a subsequent provider who noted decay on several teeth, including one tooth that appeared to have pulpally involved decay (tooth 11d). Patient A was provided treatment by the subsequent provider.

PATIENT B

9. On July 29, 2015, Respondent saw Patient B, a minor born in 2011, for clinical exam and noted in Patient B's treatment records minor decay on the front of the tooth R. Respondent also indicated that Patient B received "exam, prophylaxis, APF" and "Eval: caries 18d."

10. On August 5, 2015, Respondent provided treatment to Patient B and indicated in the treatment records, "18d F/R; no anes, F.IILC, Fuji IILC."

11. Respondent failed to take radiographs while providing treatment for Patient B and/or failed to document if radiographs were attempted but unable to complete for Patient B.

12. On May 26, 2016, Patient B saw a subsequent provider who noted decay on several teeth, and that many primary teeth had deep decay that appeared to progress to the pulp (teeth A, B, I, J, K and L).

PATIENT C

13. On July 29, 2015, Respondent saw Patient C, a minor born in 2013, for clinical exam and treatment. Patient C's treatment records indicate that Patient C had an "exam, prophylaxis, APF".

14. On May 26, 2016, Patient C saw a subsequent provider who noted occlusal decay on more than one tooth.

PATIENTS A, B AND C

15. Respondent did not refer Patients A, B or C to a pediatric dentist.
16. Respondent failed to identify and treat the tooth decay in Patients A, B and C as referenced in paragraphs 8, 12 and 14 when he treated such patients in July and August 2015.
17. The standard of minimal competence for a dentist licensed in Wisconsin would have been to identify and treat the pulpally involved decay noted in paragraphs 8 and 12 in July and/or August 2015, during Patients A and B's last appointment with Respondent.
18. The standard of minimal competence for a dentist licensed in Wisconsin, upon noticing signs of tooth decay in a minor, would have been to take radiographs and if unable to successfully take radiographs, to refer such patient to a pediatric dentist.
19. 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, Cameron J. Ochsner, 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, Cameron J. Ochsner, D.D.S., is subject to discipline pursuant to Wis. Stat. § 447.07(3)(a).

ORDER

1. The attached Stipulation is accepted.
2. Respondent Cameron J. Ochsner, D.D.S., is REPRIMANDED.
3. The license to practice dentistry issued to Cameron J. Ochsner, D.D.S. (license number 5132-15) 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 diagnosis and early detection of caries in children 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, Cameron J. Ochsner, D.D.S., shall pay COSTS of this matter in the amount of \$451.82.

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. 5132-15) 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

11/1/17
 Date

STATE OF WISCONSIN
BEFORE THE DENTISTRY EXAMINING BOARD

IN THE MATTER OF DISCIPLINARY
PROCEEDINGS AGAINST

CAMERON J. OCHSNER, D.D.S.,
RESPONDENT.

STIPULATION

0005486

Division of Legal Services and Compliance Case No. 16 DEN 094

Respondent Cameron J. Ochsner, 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.

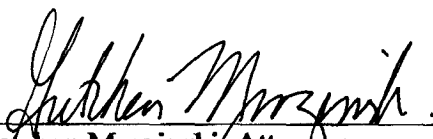
6. The parties to this Stipulation agree that the attorney or other agent for the Division of Legal Services and Compliance and any member of the Board ever assigned as an advisor in this investigation may appear before the Board in open or closed session, without the presence of Respondent, for purposes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


Cameron J. Ochsner, D.D.S., Respondent
491 Rushmore Lane
Madison, WI 53711
License no. 5132-15

10-24-17
Date


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

10-25-17
Date