

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

ANELIN FEILEN, D.D.S.,
RESPONDENT.

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0005645

FINAL DECISION AND ORDER

Division of Legal Services and Compliance Case No. 17 DEN 023

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

Anelin Feilen, D.D.S.
1502 South Cherry Lane
Holmen, WI 54636

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 Anelin Feilen, D.D.S. (dob June 21, 1983) is licensed in the State of Wisconsin to practice dentistry, having license number 6661-15, first issued on April 12, 2011, and current through September 30, 2019. Respondent's most recent address on file with the Wisconsin Department of Safety and Professional Services (Department) is 1502 South Cherry Lane, Holmen, Wisconsin 54636.

2. At all times relevant to this proceeding, Respondent was employed as a dentist at a dental clinic (Clinic) located in Onalaska, Wisconsin.

3. On December 1, 2016, Respondent saw Patient A, a 28-year old female, for a chief complaint of broken wisdom tooth on the lower left portion of the mouth.

4. Respondent provided an evaluation exam and noted that Patient A had multiple cavities, a soft tissue impacted lower right wisdom tooth, and a partially impacted lower left wisdom tooth.

5. On December 15, 2016, at approximately 5:30 p.m., Respondent treated Patient A's five cavities, two (2) on the upper right and three (3) on the lower right.

6. Respondent numbed Patient A and then prepped the teeth, excavated decay, etched, primed, bonded and restored with composite resin using matrix bands and wedges on three (3) teeth (#29, #30 & #31). Respondent completed the procedure, polished, checked occlusion and inter-proximal contacts.

7. During the December 15, 2016 procedure, Respondent was met with various unnecessary distractions such as her personal cell phone ringing which an assistant that was not assisting answered, two dental assistants who were not involved with the procedure speaking with Respondent to ask if the doctor needed anything from them before they left and, the Respondent's husband standing in the procedure room doorway asking the Respondent for her keys.

8. On December 19, 2016, Patient A returned to the Clinic for a re-evaluation as she was experiencing severe pain in her gums on the lower right side.

9. Respondent took a bite wing x-ray and examined Patient A's gums.

10. Respondent noticed inflammation, irritation and swelling of the gums on the lower right side of Patient A's mouth.

11. Respondent prescribed chlorhexidine rinse, MI paste and recommended that Patient A perform warm salt water rinses. Patient A scheduled a hygiene cleaning and re-evaluation before she left the Clinic.

12. Patient A did not return for treatment with Respondent after December 19, 2016; contact thereafter was via email and phone.

13. On December 22, 2016, Patient A saw another dentist. According to that dentist's records, Patient A had the chief complaint of fillings done on lower right and maybe upper right and very painful on lower right. The dentist's records further show the new provider advised Patient A to discontinue use of the antiseptic mouth wash and instead use a salt water rinse and continue the MI paste 3-4 times daily.

14. According to the subsequent dentist's records, during the December 30, 2016 follow up appointment, the new provider initially noticed healing of the gums but after examination noticed possible recurrent caries in teeth #30 and #31 (two of the three teeth that the Respondent had treated the week before) and found that the restoration on tooth #31 was defective. In addition, tooth #31 was causing localized gingivitis.

15. According to the subsequent dentist's records, the caries in teeth #30 and #31 as referenced in paragraph 14 above are possibly recurrent caries.

16. According to the subsequent dentist's records, as represented by the Department, on January 26, 2017, the new provider removed the existing restoration and completed composite resin restorations on teeth #30 and #31.

17. According to the subsequent dentist's records, as represented by the Department, Patient A's gum pain diminished.

18. Respondent failed to meet the standard of care ordinarily exercised by a dentist, by performing a substandard restoration on Patient A's tooth #31.

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, Anelin Feilen, 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, Anelin Feilen, D.D.S., is subject to discipline pursuant to Wis. Stat. § 447.07(3)(a).

ORDER

1. The attached Stipulation is accepted.

2. Respondent Anelin Feilen, D.D.S., is REPRIMANDED.

3. The license to practice dentistry issued to Anelin Feilen, D.D.S. (license number 6661-15) is LIMITED as follows:

- a. Within ninety (90) days of the date of this Order, Respondent shall successfully complete six (6) hours of education on the topic of operative dentistry 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 and Respondent will be granted a full, unrestricted 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, Anelin Feilen, D.D.S., shall pay COSTS of this matter in the amount of \$534.00.

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. 6661-15) 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

3-7-2018
Date

STATE OF WISCONSIN
BEFORE THE DENTISTRY EXAMINING BOARD

IN THE MATTER OF DISCIPLINARY
PROCEEDINGS AGAINST

ANELIN FEILEN, D.D.S.,
RESPONDENT.

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0005645
STIPULATION

Division of Legal Services and Compliance Case No. 17 DEN 023

Respondent Anelin Feilen, 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.

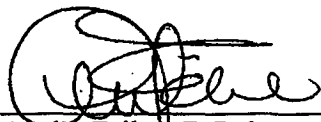
5. If the terms of this Stipulation are not acceptable to the Board, the parties shall not
be bound by the contents of this Stipulation, and the matter shall then be returned to the Division

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.



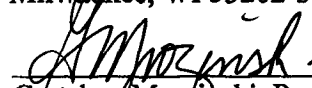
Anellin Feilen, D.D.S., Respondent
1502 South Cherry Lane
Holmen, WI 54636
License no. 6661-15

2/19/18
Date



Attorney Patrick J. Lubenow
SmithAmundsen
330 East Kilbourn Avenue, Suite 1100
Milwaukee, WI 53202-3170

2/20/18
Date



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

2/24/18
Date