

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

ANDY MANCINI, D.D.S.,
RESPONDENT.

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:
:

FINAL DECISION AND ORDER

0005681

Division of Legal Services and Compliance Case Numbers 17 DEN 137, 18 DEN 021 and
18 DEN 022

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

Andy Mancini, D.D.S.
131 Carmichael Rd., Ste. 200
Hudson, WI 54016

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 Andy Mancini, D.D.S., DOB: February 10, 1976, is licensed to practice dentistry in the state of Wisconsin, having license number 6499-15, first issued on May 17, 2010, and current through September 30, 2019. Respondent's most recent address on file with the Wisconsin Department of Safety and Professional Services (Department) is 131 Carmichael Road, Suite 200, Hudson, Wisconsin 54016.

2. At all times relevant to this proceeding, Respondent owned, and was employed as a dentist and sole practitioner at a pediatric dental clinic located in Hudson, Wisconsin.

Case Number 17 DEN 137

3. On December 27, 2017, the Division received a complaint alleging in part, that in 2016 and 2017, Respondent provided care below accepted minimal standards to one or more pediatric patients.

4. Respondent denies providing care below accepted minimal standards.

Case Number 18 DEN 021

5. On October 10, 2017, in St. Croix County Circuit Court Case Number 2017CM723, Respondent was charged with three misdemeanor crimes.

6. The charges in St. Croix Circuit Court Case Number 2017CM723 remain unproven in a court of law, Respondent has not been convicted of any crime in that matter, and as such he is presumed innocent of the charges.

7. Respondent denies all allegations contained in the criminal complaint filed in St. Croix Circuit Court Case Number 2017CM723.

Case Number 18 DEN 022

8. On March 7, 2018, in Dane County Circuit Court Case Number 2018CV596, the Wisconsin Department of Justice (DOJ) filed a civil complaint against Respondent and his practice.

9. Dane County Circuit Court Case Number 2018CV596 remains pending as of the effective date of this Order.

10. Respondent denies all allegations contained in the civil complaint filed in Dane County Circuit Court Case Number 2018CV596.

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).

ORDER

1. The attached Stipulation is accepted.

2. The PERMANENT SURRENDER of the license to practice dentistry in the state of Wisconsin, license number 6499-15, issued to Respondent Andy Mancini, D.D.S., is hereby accepted and is effective April 10, 2018.

3. Respondent is on notice that effective April 10, 2018, he may not engage in the practice of dentistry in the state of Wisconsin, nor may he hold himself out as one so licensed or otherwise authorized to practice dentistry in this state.

4. Respondent may never petition the Board for reinstatement of his license to engage in the practice of dentistry in the state of Wisconsin.

5. Should Respondent ever petition for reinstatement of his license to practice dentistry in the state of Wisconsin, the Board may summarily reject the petition without providing further reason. The decision to summarily reject the petition lies within the sole purview of the Board and is not reviewable.

6. The license to practice dentistry in the state of Wisconsin, license number 6499-15, issued to Respondent Andy Mancini, D.D.S., is LIMITED as follows:

- a. Respondent shall not accept any new patients.
- b. Respondent shall not perform any procedure for which sedation is required, nor may he, for any reason, sedate any person.
- c. Respondent shall not perform dentistry in a hospital, emergency room, urgent care setting, or any other setting outside of his current dental clinic.
- d. Before April 10, 2018, Respondent shall notify all current patients, in writing or email, that his practice will close, effective April 10, 2018. No later than April 10, 2018, Respondent shall comply with Wis. Stat. § 146.819 and Wis. Admin. Code § DE 8.05 regarding patient health care records. No later than April 10, 2018, Respondent shall provide the Department Monitor, at the address below, with an affidavit attesting that he has complied with the requirements of this paragraph.

7. Case numbers 17 DEN 137, 18 DEN 021, and 18 DEN 022, are hereby closed with no findings of wrongdoing or violations of law. As of March 22, 2018, the Division has no pending cases alleging that Respondent has engaged in unprofessional conduct. The Board acknowledges that as of April 10, 2018, the Board will lack jurisdiction to investigate allegations that Respondent engaged in unprofessional conduct, or to impose discipline as a result of any new allegations that may arise.

8. Respondent is on notice that should he engage in the practice of dentistry in Wisconsin after April 9, 2018, he is subject to enforcement of Wis. Stat. § 440.21.

9. Respondent shall mail the affidavit required in paragraph 6(d) 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 8935, Madison, WI 53708-8935
Telephone (608) 267-3817; Fax (608) 266-2264
DSPSMonitoring@wisconsin.gov

10. Respondent is not responsible for any costs, fees, penalties or forfeitures of any kind, associated with this matter.

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

WISCONSIN DENTISTRY EXAMINING BOARD

by:

Rubra Beres ek
A Member of the Board

3-29-2018
Date

STATE OF WISCONSIN
BEFORE THE DENTISTRY EXAMINING BOARD

IN THE MATTER OF DISCIPLINARY
PROCEEDINGS AGAINST

ANDY MANCINI, D.D.S.,
RESPONDENT.

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:
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:

0005681

STIPULATION

Division of Legal Services and Compliance Case Numbers 17 DEN 137, 18 DEN 021 and
18 DEN 022

Respondent Andy Mancini, 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 Attorney Ryan C. Cari.

4. Respondent agrees that he will never petition the Wisconsin Dentistry Examining
Board for a license to engage in the practice of dentistry in Wisconsin, or otherwise seek to engage
in the practice of dentistry or dental hygiene in the state of Wisconsin, including seeking
employment to practice dentistry or dental hygiene at any government or military facility that does
not otherwise require licensure.

5. 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.

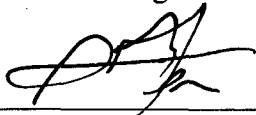
6. If the terms of this Stipulation are not acceptable to the Board, the parties shall not be bound by the contents of this Stipulation, and the matter shall then be returned to the Division of Legal Services and Compliance for further proceedings. In the event that the Stipulation is not accepted by 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.

7. 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.

8. 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.

9. In signing this Stipulation, Respondent acknowledges his obligation to comply with Wis. Stat. § 146.819 and Wis. Admin. Code § DE 8.05 regarding patient health care records.

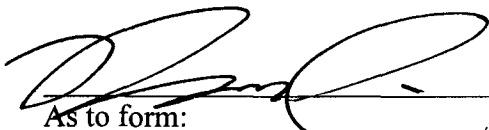
10. The Division of Legal Services and Compliance joins Respondent in recommending the Board adopt this Stipulation and issue the attached Final Decision and Order.



Andy Mancini, D.D.S., Respondent
131 Carmichael Rd., Ste. 200
Hudson, WI 54016
License no. 6499-15

Mar 22nd 2018

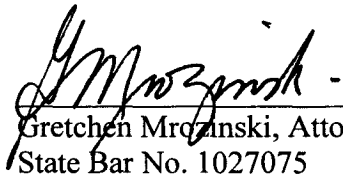
Date



As to form:
Ryan C. Cari, Attorney for Respondent
Heywood, Cari & Anderson, SC
816 Dominion Dr., Ste. 100
Hudson, WI 54016

3/22/18

Date



Gretchen Mrozinski, Attorney Supervisor
State Bar No. 1027075

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Division of Legal Services and Compliance
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Tel. (608) 266-2858
Fax (608) 266-2264

3-22-18
Date

Sandra L. Nowack, Attorney
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