

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

JOEL A. SUPITA, D.D.S.,
RESPONDENT.

:
:
: FINAL DECISION AND ORDER
:
:

ORDER 0006276

Division of Legal Services and Compliance Case 17 DEN 028

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

Joel A. Supita, D.D.S.
735 Dyer St.
Crivitz, WI 54114

P.O. Box 369
Crivitz, WI 54114

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 Joel A. Supita, D.D.S., (DOB September 13, 1949), is licensed in the state of Wisconsin to practice dentistry, having license number 2824-15, first issued on August 7, 1981, and current through September 30, 2019. Respondent's most recent address on file with the Wisconsin Department of Safety and Professional Services (Department) is 735 Dyer St., Crivitz, Wisconsin 54114.

ORDER 006572

2. At all times relevant to this proceeding, Respondent was employed as a dentist at a practice located in Crivitz, Wisconsin.

3. On March 7, 1983, Respondent began treating Patient A and continued to treat Patient A until May 7, 2014.

4. Respondent performed non-surgical periodontal maintenance treatment every six (6) months on Patient A. Respondent categorized Patient A's periodontal disease as Type 1.

5. Respondent did not maintain consistent probing documentation and periodontal charting for Patient A.

6. Respondent did not maintain consistent radiographic documentation for Patient A. Further, Patient A's radiographs did not support the diagnosis of Type 1 periodontal disease.

7. On October 29, 2014, Doctor A began treating Patient A. Doctor A discovered that Patient A had significant periodontal problems and referred Patient A to Doctor B, a specialist in periodontics.

8. On February 21, 2015, Doctor B diagnosed Patient A with bone disease.

9. Patient A underwent four (4) osseous surgeries as a result of his significant periodontal problems and bone disease on March 31, June 17, September 6, and December 3, 2015.

10. Due to Respondent's lack of proper documentation regarding Patient A's treatment, a diagnosis of Type 1 periodontal disease could not be adequately confirmed.

11. Patient A's need for osseous surgery as a result of his significant periodontal problems and bone disease indicate that Patient A had periodontal disease that was more severe than Type 1 periodontal disease.

12. The standard of care ordinarily exercised by a dentist in Wisconsin required treating Patient A's significant periodontal disease with periodontal maintenance every three (3) months instead of every six (6) months. The standard of care ordinarily exercised by a dentist in Wisconsin required maintaining more consistent radiographic documentation, probing documentation, and periodontal charting.

13. 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, Respondent Joel A. Supita, 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 or dental hygienist which harms or could have harmed a patient.

3. As a result of the above violations, Respondent Joel A. Supita, D.D.S., is subject to discipline pursuant to Wis. Stat. § 447.07(3)(a).

ORDER

1. The attached Stipulation is accepted.
2. Respondent Joel A. Supita, D.D.S., is REPRIMANDED.
3. The license to practice dentistry issued to Respondent Joel A. Supita, D.D.S., (license number 2824-15) is LIMITED as follows:
 - a. Within ninety (90) days of the date of this Order, Respondent shall successfully complete ten (10) hours of education on the topic of periodontal treatment 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. Online or self-study education shall not be approved unless completed in a real-time, interactive format.
 - 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 Respondent petitions the Board for removal and satisfies 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, Respondent Joel A. Supita, D.D.S., shall pay COSTS of this matter in the amount of \$543.00.

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

You may also submit this information online via DSPS' Monitoring Case Management System, here:

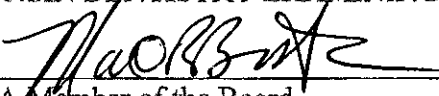
<https://app.wi.gov/DSPSMonitoring>


6. In the event that Respondent violates any term of this Order, Respondent's license (license number 2824-15) 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

JOEL A. SUPITA, D.D.S.,
RESPONDENT.

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STIPULATION
ORDER 0006276

Division of Legal Services and Compliance Case No. 17 DEN 028

Respondent Joel A. Supita, 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

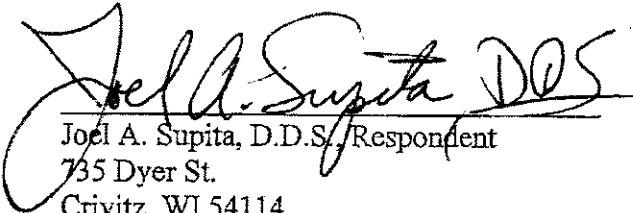
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of Legal Services and Compliance for further proceedings. In the event that the Stipulation is not accepted by the Board, the parties agree not to contend that the Board has been prejudiced or biased in any manner by the consideration of this attempted resolution.

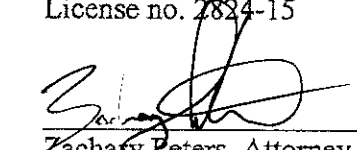
6. The parties to this Stipulation agree that the attorney or other agent for the Division of Legal Services and Compliance and any member of the Board ever assigned as an advisor in this investigation may appear before the Board in open or closed session, without the presence of Respondent, for purposes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


Joel A. Supita, D.D.S., Respondent
735 Dyer St.
Crivitz, WI 54114
License no. 2824-15

05/28/2019
Date


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

5/29/19
Date