

WISCONSIN DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES



Wisconsin Department of Safety and Professional Services Access to the Public Records of the Reports of Decisions

This Reports of Decisions document was retrieved from the Wisconsin Department of Safety and Professional Services website. These records are open to public view under Wisconsin's Open Records law, sections 19.31-19.39 Wisconsin Statutes.

Please read this agreement prior to viewing the Decision:

- The Reports of Decisions is designed to contain copies of all orders issued by credentialing authorities within the Department of Safety and Professional Services from November, 1998 to the present. In addition, many but not all orders for the time period between 1977 and November, 1998 are posted. Not all orders issued by a credentialing authority constitute a formal disciplinary action.
- Reports of Decisions contains information as it exists at a specific point in time in the Department of Safety and Professional Services data base. Because this data base changes constantly, the Department is not responsible for subsequent entries that update, correct or delete data. The Department is not responsible for notifying prior requesters of updates, modifications, corrections or deletions. All users have the responsibility to determine whether information obtained from this site is still accurate, current and complete.
- There may be discrepancies between the online copies and the original document. Original documents should be consulted as the definitive representation of the order's content. Copies of original orders may be obtained by mailing requests to the Department of Safety and Professional Services, PO Box 8935, Madison, WI 53708-8935. The Department charges copying fees. *All requests must cite the case number, the date of the order, and respondent's name* as it appears on the order.
- Reported decisions may have an appeal pending, and discipline may be stayed during the appeal. Information about the current status of a credential issued by the Department of Safety and Professional Services is shown on the Department's Web Site under "License Lookup."

The status of an appeal may be found on court access websites at:

<http://ccap.courts.state.wi.us/InternetCourtAccess> and <http://www.courts.state.wi.us/wscca>

- Records not open to public inspection by statute are not contained on this website.

By viewing this document, you have read the above and agree to the use of the Reports of Decisions subject to the above terms, and that you understand the limitations of this on-line database.

Correcting information on the DSPS website: An individual who believes that information on the website is inaccurate may contact DSPS@wisconsin.gov

STATE OF WISCONSIN
BEFORE THE DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES

IN THE MATTER OF A PETITION FOR AN	:	
ADMINISTRATIVE INJUNCTION	:	
INVOLVING	:	
	:	ADMINISTRATIVE INJUNCTION
DEB KUNKEL,	:	
RESPONDENT.	:	ORDER 0006589

Division of Legal Services and Compliance Case No. 18 UNL 143

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

Deb Kunkel
Long Dental Studio, LLC
526 Vine St.
Wisconsin Dells, WI 53965

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

This matter comes before the Department as a complaint to which the Respondent has made no timely response. Accordingly, the Department makes the following Findings of Fact, Conclusions of Law, and Order.

FINDINGS OF FACT

1. Respondent, Deb Kunkel, is not currently licensed to practice as a dentist in the state of Wisconsin.
2. At all times relevant to these proceedings Respondent was working as a dental assistant at a dental office (Office) located in Wisconsin Dells, Wisconsin.
3. On December 14, 2017, Patient A presented to dental office to have a permanent crown placed on tooth #2.
4. Respondent, while working on Patient A, removed the temporary crown and cleaned the tooth then "tried on the permanent crown, checked margins, contact, and the bite." Respondent cemented the permanent crown, but the lingual would not seat all the way.

5. Respondent removed the crown and cleaned the tooth again. Respondent attempted to cement the permanent crown a second time, but the buccal would not seat.

6. Patient A became upset and a dentist then entered the room, administered nitrous oxide, removed the remaining cement, and cemented the permanent crown.

7. Cementing a permanent crown on a tooth is a procedure that could cause damage to the patient's teeth or oral cavity, which cannot be remedied without professional intervention. Therefore, cementing a crown is not a remedial procedure that can be delegated.

CONCLUSIONS OF LAW

1. The Wisconsin Department of Safety and Professional Services has jurisdiction in this matter pursuant to Wis. Admin. Code ch. SPS 3 and Wis. Stat. § 440.21, and is authorized to enter the attached Order pursuant to Wis. Stat. § 227.44(5).

2. Pursuant to Wis. Stat. § 447.03(1)(a), a license is required to engage in the practice of dentistry.

3. The conduct described in the Findings of Fact above constitutes the unlicensed practice of dentistry, contrary to Wis. Stat. § 447.03(1)(a).

4. Injunctive relief is appropriate for a violation of Wis. Stat. § 447.03(1)(a), pursuant to Wis. Stat. § 447.10.

ORDER

1. The attached stipulation is accepted.

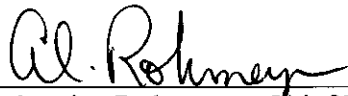
2. Unless and until Respondent is properly licensed to practice dentistry by the Wisconsin Dentistry Examining Board, Respondent is enjoined and prohibited from the practice of dentistry in the state of Wisconsin.

3. Unless and until Respondent is properly licensed to practice dentistry by the Wisconsin Dentistry Examining Board, Respondent is enjoined and prohibited from performing non-remediable procedures.

5. If the Department determines that there is probable cause to believe that Respondent has violated any terms of this Administrative Injunction, the Department may refer the violations covered by this decision and order to any appropriate prosecutorial unit for review for possible criminal charges.

WISCONSIN DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES

Issued at Madison, Wisconsin, this 19th day of December, 2019.

By: 
Aloysius Rohmeyer, Chief Legal Counsel
On behalf of the Department

STATE OF WISCONSIN
BEFORE THE DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES

IN THE MATTER OF A PETITION FOR AN	:	
ADMINISTRATIVE INJUNCTION	:	
INVOLVING	:	
	:	STIPULATION
DEB KUNKEL,	:	
RESPONDENT.	:	ORDER 0006589

Division of Legal Services and Compliance Case No. 18 UNL 143

Respondent Deb Kunkel 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.

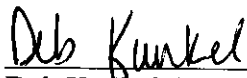
4. Respondent agrees to the adoption of the attached Administration Injunction by the Wisconsin Department of Safety and Professional Services (Department). The parties to the Stipulation consent to the entry of the attached Final Decision and Order without further notice, pleading, appearance or consent of the parties. Respondent waives all rights to any appeal of the Department's Order, if adopted in the form as attached.

5. If the terms of this Stipulation are not acceptable to the Department, 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 Department, the parties agree not to contend that the Department has been prejudiced or biased in any manner by the consideration of this attempted resolution.

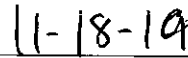
6. The parties to this Stipulation agree that the attorney or other agent for the Division of Legal Services and Compliance may appear before the Department, without the presence of Respondent, for purposes of speaking in support of this agreement and answering questions that the Department may have in connection with deliberations on the Stipulation.

7. Respondent is informed that should the Department adopt this Stipulation, the Department's Administrative Injunction 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 that the Department adopt this Stipulation and issue the attached Administrative Injunction.



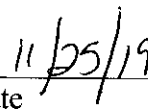
Deb Kunkel, Respondent
Long Dental Studio, LLC
526 Vine Street
Wisconsin Dells, WI 53965



Date



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



Date