# 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

NATALIE R. NEU, D.D.S., RESPONDENT.

FINAL DECISION AND ORDER ORDER 0006870

Division of Legal Services and Compliance Case 18 DEN 155

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

Natalie R. Neu, D.D.S., Waukesha, WI 53186

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 Natalie R. Neu, D.D.S., (DOB: XX/XX/1978) is licensed in the state of Wisconsin to practice dentistry, having license number 5768-15, first issued on September 2, 2004 and current through September 30, 2021. Respondent's most recent address on file with the Wisconsin Department of Safety and Professional Services (Department) is in Waukesha, Wisconsin.
- 2. On January 16, 2019, subsequent to the receipt of a complaint, the Department sent correspondence to Respondent via postal mail which included a request for "certificates of completion/attendance for each continuing education course taken during the biennium immediately preceding [Respondent's] most recent [license] renewal." A response was requested no later than January 30, 2019.

- 3. On January 29, 2019, the Department received an email from Attorney John Reid stating that he had been retained by Respondent. He requested a ten-day extension to respond to the Department's request for information. This request was granted.
- 4. On February 7, 2019, Attorney Reid provided a partial response to the Department. No continuing education documentation was submitted.
- 5. On March 5, 2019, the Board's screening panel reviewed the complaint and response. The panel opened the matter for investigation limited to the issue of continuing education credits.
- 6. On June 26, 2019, a Department investigator contacted Attorney Reid by telephone and requested continuing education documentation. The investigator and Attorney Reid exchanged email and phone contact information. The deadline to submit the requested documentation was July 3, 2019.
- 7. On June 27, 2019, Attorney Reid confirmed the substance of the prior day's telephone conversation by emailing, "We will follow up with [Respondent] for the information you requested, including any documentation she had for continuing education from 10/1/15 to 9/30/17."
- 8. On July 8, 2019, the investigator made telephone contact with Attorney Reid. Attorney Reid stated that, despite multiple attempts, he had been unable to make live contact with Respondent. He stated he would call the investigator once another contact with Respondent was attempted.
- 9. On July 15, 2019 and July 23, 2019, the investigator attempted to contact Attorney Reid via telephone. There was no answer either time.
- 10. Later, on July 23, 2019, the investigator received a phone call from Attorney Reid. He stated that Respondent had not completed the continuing education for the requested biennium due to significant life-changing events. While on the phone, Attorney Reid sent an email to the investigator describing communication issues between the two of them and stating that he "did speak with [Respondent] about locating the documentation relative to her completion of the continuing education requirements for 2015 to 2017. [Respondent] has conducted a diligent search but cannot locate the documentation relative to her CE completed during this two-year time period." He added several events in Respondent's life which, by implication, contributed to her inability to provide the requested documentation.
- On July 24, 2019, Respondent sent an email to the Department listing several events that have contributed to her inability to locate the documentation and stating that she has attempted to find the certificates. She offered to attest under oath to the completion of the hours.
- 12. On August 23, 2019, the investigator called Attorney Reid to clarify the conflicting positions of the education not completed versus all education completed but unable to locate

documentation. The investigator informed Attorney Reid that continuing education documentation can frequently be obtained from the issuing institutions. This phone call was followed up by a request letter and a deadline was set for September 4, 2019.

- 13. On August 26, 2019, a Department attorney sent an email to Attorney Reid stating, "Your client's response leaves cause for concern. She is due to renew next month and will again be asked to attest to the completion of required CE credits per Wis. Admin. Code. § DE 13.03(7). To maintain active licensure, her renewal is due by 9/30/19. Therefore, in addition to CE documentation from her previous renewal, please also submit documentation of completion for the 2017-2019 biennium prior to your client's certification of completion before 9/30/19. This request is authorized in § 441.056(5)."
- 14. On September 18, 2019, the Department was notified that Respondent had retained new counsel. Throughout the remainder of the month, this new representation provided Respondent's continuing education documentation for the 2017 2019 biennium.
- 15. To date, no documentation of continuing education credits for the 2015 2017 biennium has been provided to the Department. A review of Respondent's 2017 online license renewal indicates that she attested to the completion of the required education hours on September 19, 2017.
- 16. 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 engaged in unprofessional conduct as defined by Wis. Admin. Code § DE 13.03(10), by failing to maintain a written record of the continuing education hours for not less than six (6) years after completion of each credit.
- 3. By the conduct described in the Findings of Fact, Respondent engaged in unprofessional conduct as defined by Wis. Admin. Code § DE 5.02(16), by violation of any provision of ch. 447, Stats., or any valid rule of the board.
- 4. By the conduct described in the Findings of Fact, Respondent engaged in unprofessional conduct as defined by Wis. Stat. § 447.056(5), by failing to keep a written record detailing each continuing education credit and maintaining that record for not less than six (6) years after completion of each credit.
- 5. As a result of the above violations, Respondent is subject to discipline pursuant to Wis. Stat. § 447.07(3).

#### ORDER

- 1. The attached Stipulation is accepted.
- 2. Respondent is REPRIMANDED.
- 3. Within one hundred and eighty (180) days from the date of this Order, Respondent shall pay COSTS of this matter in the amount of \$674.00.
- 4. 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 the Department's Monitoring Case

Management System at:

https://dspsmonitoring.wi.gov

- 5. In the event that Respondent violates any term of this Order, Respondent's license (no. 5768-15) 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.
  - 6. This Order is effective on the date of its signing.

WISC	CONSIN DENTISTRY EXAMINING BOARD		
by:	Matthew Bistanfe.A	7/1/2020	
	A Member of the Board	Date	

## STATE OF WISCONSIN BEFORE THE DENTISTRY EXAMINING BOARD

IN THE MATTER OF DISCIPLINARY PROCEEDINGS AGAINST

**STIPULATION** 

NATALIE R. NEU, D.D.S., RESPONDENT.

ORDER 0006870

Division of Legal Services and Compliance Case No. 18 DEN 155

Respondent Natalie R. Neu, 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 Ellison Hitt.
- 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 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.
- 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.

Natalie R. Neu, D.D.S., Respondent  Waukesha, WI 53186  License no. 5768-15	Vaukesha, WI 53186	$\frac{05/13/2020}{\text{Date}}$
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Ellison Hitt, Attorney for Respondent
Siesennop and Sullivan LLP

111 W. Pleasant St., Ste 110

Milwaukee, WI 53212

Lesley McKinney, Attorney

Department of Safety and Professional Services Division of Legal Services and Compliance

P.O. Box 7190

Madison, WI 53707-7190

6/8/2020

Ce/8/20

Date