

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

PARIMAL G. SAPOVADIA, D.M.D.,
RESPONDENT.

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FINAL DECISION AND ORDER

ORDER 0007064

Division of Legal Services and Compliance Case No. 18 DEN 139

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

Parimal G. Sapovadia, D.M.D.
Middleton, WI 53597

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 Parimal G. Sapovadia, D.M.D., (DOB xx/xx/1974) is licensed in the state of Wisconsin to practice dentistry, having license number 5943-15, first issued on November 3, 2005, and current through September 30, 2021. Respondent's most recent address on file with the Wisconsin Department of Safety and Professional Services (Department) is located in Middleton, Wisconsin.

2. At all times relevant to this proceeding, Respondent was employed as an oral surgeon at an oral surgery and implant center (Center) in Wausau, Wisconsin, and dental office (Office), located in Dane County, Wisconsin.

3. The Wisconsin Prescription Drug Monitoring Program (PDMP) identified Respondent as in the top 1% of dentist opioid prescribers, based on volume of opioid prescriptions, between December 1, 2017, and March 18, 2019.

4. Ten (10) sets of patient records were reviewed during the investigation of this matter and demonstrated the following:

- a. The patients treated with Respondent sometime between September 2017, and March 2019;
- b. The patients were prescribed controlled substances (opiates) by Respondent;
- c. At least one patient record did not include the prescribed controlled substance strength or medication instructions;
- d. Respondent prescribed multiple prescriptions of controlled substances for a duration longer than three (3) days but did not check the PDMP before issuing such prescriptions;
- e. One individual reported she dated Respondent for approximately one month but had not treated with Respondent as a patient. While they were dating, in February 2018, Respondent prescribed her eszopiclone;
- f. Respondent prescribed zolpidem to an individual in July 2018. This individual was formerly engaged to Respondent. She denied ever seeing him as a patient and denied ever being prescribed zolpidem by him or any other provider. According to the pharmacy that filled prescription, Respondent picked up this prescription which was confirmed via Respondent presenting his driver's license for verification at pick up; and
- g. Respondent prescribed acetaminophen w/codeine and alprazolam to a neighbor who had never treated with Respondent as a patient. Such prescriptions occurred in August and October 2018.

5. The standard of care ordinarily exercised by a Wisconsin dentist when prescribing medication is to include in the patient records the medication type, dose, amount, directions for use, and number of refills.

6. As of April 1, 2017, Wisconsin dentists are required to check the PDMP if prescribing a controlled substance for a duration longer than three (3) days.

7. Respondent admitted prescribing controlled substances to individuals who were not his patients.

8. 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 5.02(1), by engaging in any practice which constitutes a substantial danger to the health, welfare or safety of a patient or the public.

3. By the conduct described in the Findings of Fact, Respondent 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.

4. By the conduct described in the Findings of Fact, Respondent engaged in unprofessional conduct as defined by Wis. Admin. Code § DE 5.02(20) by violating Wis. Admin. Code § CSB 4.15(1)(b) which requires Respondent to review the PDMP about a patient prior to issuing a prescription for controlled substances the duration of which is more than three (3) days.

5. As a result of the above violations, Respondent is subject to discipline pursuant to Wis. Stat. § 447.07(3)(a) and (f).

ORDER

1. The attached Stipulation is accepted.

2. Respondent is REPRIMANDED.

3. The license to practice dentistry issued to Respondent (license number 5943-15) is LIMITED as follows:

- a. For a period of at least one (1) year from the date of this Order, prior to providing anyone with a prescription for a controlled substance, Respondent shall have such prescription reviewed by another dentist (Reviewer) approved by the Board or its designee. Reviewer shall review the written prescription and/or patient records to ensure that the following information is present: patient name, date of prescription for the controlled substance, controlled substance name/type, dose, amount, directions for use, and number of refills. Reviewer shall verify with Respondent that Respondent checked the PDMP for any controlled substance prescription with a duration greater than three (3) days. Respondent shall prepare quarterly reports detailing the above information, present such report to Reviewer, and obtain Reviewer's attestation signature on such report. Respondent shall provide the quarterly report, as attested by Reviewer, to the Department Monitor within two weeks of the end of the applicable quarter. Respondent is responsible for any and all costs associated with obtaining and utilizing Reviewer.
- b. Within ninety (90) days of the date of this Order, Respondent shall successfully complete between six (6) and nine (9) hours of education on the topic of proper prescribing practices, and three (3) hours of education on the topic of ethics offered by a provider pre-approved by the Board's

monitoring liaison, including taking and passing any exam offered for the courses.

- i. All education completed pursuant to this Order shall be taken in-person, unless otherwise approved by the Board's monitoring liaison.
- ii. 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.
- iii. 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.
- iv. The Board's monitoring liaison may change the number of credit hours and/or education topics in response to a request from Respondent. The monitoring liaison may consider the topic availability and/or hours of education when determining if a change to the ordered education should occur.
- v. This limitation shall be removed from Respondent's 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, Respondent shall pay COSTS of this matter in the amount of \$1033.00.

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://dspsmonitoring.wi.gov>

6. In the event that Respondent violates any term of this Order, Respondent's license (no. 5943-15) 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

4 November 2020
Date

STATE OF WISCONSIN
BEFORE THE DENTISTRY EXAMINING BOARD

IN THE MATTER OF DISCIPLINARY
PROCEEDINGS AGAINST

PARIMAL G. SAPOVADIA, D.M.D.,
RESPONDENT.

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STIPULATION

ORDER 0007064

Division of Legal Services and Compliance Case No. 18 DEN 139

Respondent Parimal G. Sapovadia, D.M.D., 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.

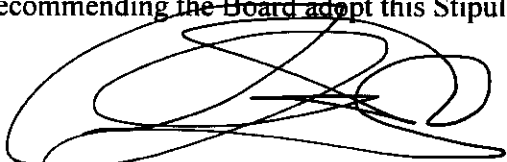
5. If the terms of this Stipulation are not acceptable to the Board, the parties shall not be bound by the contents of this Stipulation, and the matter shall then be returned to the Division

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.



Parimal G. Sapovadia, D.M.D., Respondent
Middleton, WI 53597
License no. 5943-15

9/10/2020

Date



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

9/10/2020

Date