

WISCONSIN DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES



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STATE OF WISCONSIN
BEFORE THE DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES

IN THE MATTER OF

JAMIE BROWN,
RESPONDENT.

ADMINISTRATIVE INJUNCTION

ORDER 0007141

Division of Legal Services and Compliance Case No. 20 UNL 120

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

Jamie Brown
Antigo, WI 54409

Division of Legal Services and Compliance
Wisconsin 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 Wisconsin Department of Safety and Professional Services (Department). The Department has reviewed this Stipulation and considers it acceptable.

Accordingly, the Department adopts the attached Stipulation and makes the following Findings of Fact, Conclusions of Law, and Order.

FINDINGS OF FACT

1. Jamie Brown (Respondent) (Year of Birth 1973) is not and has never been licensed as a dental hygienist or dentist in the state of Wisconsin.
2. At all times relevant to this proceeding, Respondent was employed as the Office Manager/Dental Assistant for a dental office (Office) located in Antigo, Wisconsin.
3. Respondent was trained and/or instructed by Office dentists to adjust crowns using a high-speed handpiece, and to remove tartar from patients' teeth (scaling). Respondent performed such activities throughout her employment with the Office.
4. Respondent is no longer employed by the Office nor is she currently employed by a dental office.

5. Respondent understands that the activities identified in paragraph three (3) require a credential issued by the Wisconsin Dentistry Examining Board, and will no longer perform such activities without the necessary credential.

CONCLUSIONS OF LAW

1. The Department has jurisdiction in this matter pursuant to Wis. Admin. Code ch. SPS 3 and Wis. Stat. § 440.21 and is authorized to enter into the attached Stipulation and Order pursuant to Wis. Stat. § 227.44(5).

2. Pursuant to Wis. Stat. § 447.01(3), the practice of dental hygiene includes, in part, removal of calcareous deposits from a natural or restored surface of a human tooth.

3. Pursuant to Wis. Stat. § 447.01(8)(am), the practice of dentistry includes, in part, treatment of conditions of the human oral cavity or its adjacent or associated tissues and structures.

4. By the conduct described above, Respondent violated Wis. Stat. § 447.03(1) by practicing dentistry without a license.

5. By the conduct described above, Respondent violated Wis. Stat. § 447.03(2) by practicing dental hygiene without a license.

ORDER

1. The attached stipulation is accepted.

2. Unless and until Respondent is properly licensed as a dentist and/or dental hygienist by the Wisconsin Dentistry Examining Board, Respondent is enjoined and prohibited from the practice of dentistry and/or dental hygiene in the state of Wisconsin. Violation of this Administrative Injunction may result in a forfeiture of up to \$10,000 for each day of violation. See Wis. Stat. § 440.21(4)(a).

3. 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 Administrative Injunction to any appropriate prosecutorial unit for review for possible criminal charges.

WISCONSIN DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES

Issued at Madison, Wisconsin, this 3rd day of January, 2021.

By: A. Rohmeyer
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

JAMIE BROWN,
RESPONDENT.

STIPULATION

ORDER 0007141

Division of Legal Services and Compliance Case No. 20 UNL 120 (DEN)

Respondent Jamie Brown, and the Division of Legal Services and Compliance (Division), Department of Safety and Professional Services (Department) stipulate as follows:

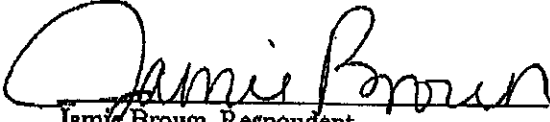
1. This Stipulation is entered into as a result of a pending investigation by the Division. Respondent consents to the resolution of this investigation by Stipulation.
2. Respondent understands that by signing this Stipulation, Respondent voluntarily and knowingly waives the following rights:
 - the 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 Administrative Injunction by the Department. The parties to the Stipulation consent to the entry of the attached Administrative Injunction without further notice, pleading, appearance or consent of the parties. Respondent waives all rights to any appeal of the Department's Administrative Injunction, 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 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.

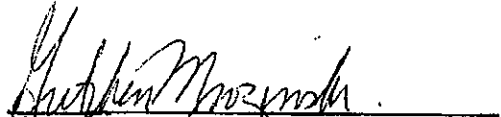
6. The parties to this Stipulation agree that the attorney for the Department may appear before the Department for the purposes of speaking in support of this agreement and answering questions that the Department may have in connection with deliberations on this Stipulation.

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 joins Respondent in recommending the Department adopt this Stipulation and issue the attached Administrative Injunction.


Jamie Brown, Respondent
Antigo WI 54409

12-23-20
Date


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

12-29-20
Date