

## 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

SCOTT W. CHARMOLI, D.D.S.,  
RESPONDENT.

INTERIM ORDER

**ORDER 0007197**

Division of Legal Services and Compliance Case No. 19 DEN 117

The parties to these actions for the purpose of Wis. Stat. § 227.53 are:

Scott W. Charmoli, D.D.S.  
Hartford, WI 53027

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 interim disposition of this matter, subject to the approval of the Wisconsin Dentistry Examining Board (Board). The Board has reviewed this Stipulation and considers it acceptable.

Accordingly, the Board adopts the attached Stipulation and makes the following Findings of Fact, Conclusion of Law, and Order.

**FINDINGS OF FACT**

1. Respondent Scott W. Charmoli, D.D.S., (DOB XX/XX/1960) is licensed in the state of Wisconsin as a dentist, having license number 3671-15, first issued on August 1, 1986, 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 Hartford, Wisconsin 53027.

2. At all times relevant to this proceeding, Respondent was working as a dentist at a dental clinic (Clinic), located in Jackson, Wisconsin.

3. The Division of Legal Services and Compliance (Division), on behalf of the Board, received a complaint alleging that Respondent, while working at the Clinic, unnecessarily

recommended crowns for patients who did not need them, purposefully damaged patients' teeth in order to create a need for crowns, and submitted photos of that damage in support of insurance claims. The Division opened Case No. 19 DEN 117 to investigate the allegations.

4. On December 15, 2020, Respondent was indicted in the United States District Court – Eastern District of Wisconsin, Case No. 20-CR-242, with eight (8) counts of Health Care Fraud, in violation of Title 18, United States Code, Sections 1347 and 2; and two (2) counts of False Statements Relating to Health Care Matters, in violation of Title 18, United States Code, Section 1035(a)(2). That case is pending.

5. The Board has not made a final determination as to the validity of the allegations underlying the above charges and/or allegations.

6. Respondent's consent to the entry of this order does not constitute an admission of the charges and/or allegations referenced in paragraphs 3 and 4. Respondent denies any and all charges and/or allegations against him.

7. Respondent has voluntarily agreed not to engage in the practice dentistry in the state of Wisconsin pending the final resolution of the pending federal litigation and this disciplinary matter.

#### CONCLUSION OF LAW

1. The Wisconsin Dentistry Examining Board has jurisdiction to act in this matter pursuant to Wis. Stat. § 441.07 and is authorized to enter into the attached Stipulation pursuant to Wis. Stat. § 227.44(5).

#### ORDER

1. The attached Stipulation is accepted.

2. The license of Respondent to practice as a dentist in the state of Wisconsin (license number 3671-15) is SUSPENDED during the pendency of this disciplinary matter.

3. The suspension shall continue until the Board issues a Final Decision and Order in DLSC Case No. 19 DEN 117.

4. This Order is effective on the date of its signing.

WISCONSIN DENTISTRY EXAMINING BOARD

By:

  
A Member of the Dentistry Examining Board

2/2/21  
Date

STATE OF WISCONSIN  
BEFORE THE DENTISTRY EXAMINING BOARD

IN THE MATTER OF DISCIPLINARY  
PROCEEDINGS AGAINST

SCOTT W. CHARMOLI, D.D.S.,  
RESPONDENT.

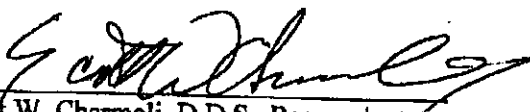
STIPULATION  
FOR INTERIM ORDER  
ORDER 0007197

Division of Legal Services and Compliance Case No. 19 DEN 117

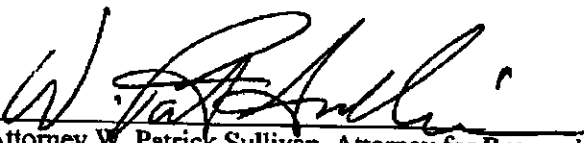
Respondent Scott W. Charmoli, D.D.S., and the Division of Legal Services and Compliance, Department of Safety and Professional Services, stipulate as follows:

1. This Stipulation is entered into as a result of a pending investigation by the Division of Legal Services and Compliance.
2. Respondent is aware of his right to seek legal representation and has been provided an opportunity to obtain legal counsel before signing this Stipulation. Respondent is represented by Attorney Patrick Sullivan and Attorney Ellison Hitt.
3. Respondent agrees to the adoption of the attached Interim Order by the Wisconsin Dentistry Examining Board (Board). The parties to the Stipulation consent to the entry of the attached Interim Order without further notice, pleading, appearance or consent of the parties. Respondent waives all rights to any appeal of the attached Interim Order, if adopted in the form as attached.
4. 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 the attached Interim Order.
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 Interim Order.
7. Respondent is informed that should the Board adopt this Stipulation, the Board's Interim 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 Interim Order.

  
Scott W. Charmoli, D.D.S., Respondent  
Hartford, WI 53027  
License No. 3671-15

1/29/21  
Date

  
Attorney W. Patrick Sullivan, Attorney for Respondent  
Attorney Ellison Hitt, Attorney for Respondent  
Siesennop & Sullivan, LLP  
111 W. Pleasant Street, Suite 110  
Milwaukee, WI 53212

1/29/21  
Date

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

01/29/2021  
Date