

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 0007462

Division of Legal Services and Compliance Case No. 20 DEN 001

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

Parimal G. Sapovadia, D.M.D.
Middleton, WI 53562

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. Parimal G. Sapovadia, D.M.D. (Respondent), (Year of Birth 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 53562.

Prior Discipline

2. On November 10, 2020, the Board issued Order No. 7064 reprimanding Respondent and limiting his license for at least one (1) year as a result of failing to check the Prescription Drug Monitoring Program (PDMP) prior to prescribing a controlled substance for a

duration longer than three (3) days, failing to record the controlled substance prescription strength or medication instructions in the patient record, and prescribing controlled substances to people who were not his patients.

Current Case

3. At all times relevant to this proceeding, Respondent was employed as an oral surgeon at an oral surgery and implant center, located in Wausau, Wisconsin.

4. On January 25, 2017, Patient A underwent a second root canal and crown on tooth #19. Afterwards, the tooth continued to be painful.

5. In January 2018, Dentist C referred Patient A to Respondent for extraction of tooth #19 and an implant in the area of tooth #19; Diagnosis was suspected cracked tooth.

6. On March 12, 2018, Respondent extracted tooth #19, completed a bone-graft, and prepped Patient A for the implant.

7. On July 12, 2018, Patient A treated with Respondent for a post-operative check-up. On this same date, and at Respondent's office, Patient A underwent a cone-beam computed tomography scan (CBCT) in preparation for the implant.

8. On December 13, 2018, Respondent placed a Strauman implant fixture for Patient A at the extraction site of tooth #19. On this same date, Respondent noted in Patient A's records that he reviewed Patient A's medical history, dental history, and x-rays.

9. Patient A continued to experience pain and discomfort with tooth #19 following the extraction and implant.

10. On May 16, 2019, Patient A returned to Dentist C to place a crown over the implant. Dentist C completed x-rays for Patient A and noticed radiolucency next to and extending mesially to implant fixture #19.

11. The July 12, 2018 CBCT depicted radiolucency overlapping the mesial of the extraction site of tooth #19 to the distal of tooth #21.

12. On May 17, 2019, Patient A returned to consult with Respondent concerning the radiolucency. Respondent completed another CBCT which showed that the radiolucency had increased in size since the July 12, 2018 CBCT and expanded in all directions. Respondent diagnosed a cystic "lesion" on the lingual of teeth #20 and #21. Respondent allegedly advised Patient A that this was a new development.

13. Prior to May 17, 2019, Respondent did not document in Patient A's notes/records the presence of radiolucency.

14. In August 2019, Patient A had the cyst/lesion removed and biopsied; results were benign. The biopsy report confirmed that the cyst/lesion extended into the bone graft site as evidenced by the presence of bone graft material.

15. The standard of care ordinarily exercised by a Wisconsin dentist would be to note the radiolucency present on the July 12, 2018 CBCT Scan and refrain from placing an implant until the radiolucency was further reviewed and addressed.

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 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 or dental hygienist which harms or could have harmed a patient.

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

a. Within six (6) months of the date of this Order, Respondent shall successfully complete twelve (12) hours of education on the topic of diagnosing oral pathology, twelve (12) hours of education on the topic of reading CBCT, CT scans, and x-rays, and twelve (12) hours on the topic of patient record/note(s) documentation offered by a provider pre-approved by the Board's monitoring liaison, including taking and passing any exam offered for the courses.

b. All education completed pursuant to this Order shall be taken in-person. Education, such as webinar, online, or self-study shall not be approved. Any request to deviate from this requirement must be submitted to the Board's monitoring liaison and approved by the Board's monitoring liaison prior to taking the education.

- c. 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.
- d. 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.
- e. 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 \$2129.00.

5. Requests, submissions, and petitions related to this Order, as well as payment of costs (made payable to the Wisconsin Department of Safety and Professional Services) shall be sent by Respondent to the Department Monitor at:

Department Monitor
Division of Legal Services and Compliance
Department of Safety and Professional Services
P.O. Box 7190, Madison, WI 53707-7190
Telephone (608) 266-2112; Fax (608) 266-2264
DSPSMonitoring@wisconsin.gov

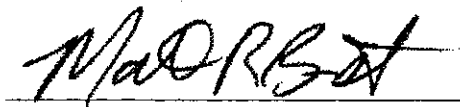
You may also submit this information online at: <https://dspsmonitoring.wi.gov>

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

7 July 2021

Date

STATE OF WISCONSIN
BEFORE THE DENTISTRY EXAMINING BOARD

IN THE MATTER OF DISCIPLINARY
PROCEEDINGS AGAINST

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

STIPULATION

ORDER 0007462

Division of Legal Services and Compliance Case No. 20 DEN 001

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. Respondent is represented by Attorney Guy DuBeau.

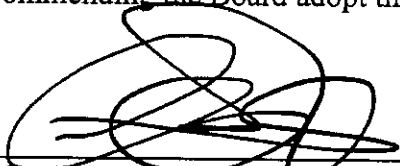
4. Respondent agrees to the adoption of the attached Final Decision and Order by the Wisconsin Dentistry Examining Board (Board). The parties to the Stipulation consent to the entry of the attached Final Decision and Order without further notice, pleading, appearance or consent of the parties. Respondent 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 53562
License No. 5943-15


Date



Guy DuBeau, Attorney for Respondent
Axley Brynerson
2 E. Mifflin St., Ste 200
Madison, WI 53703

5-13-2021

Date



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

May 17, 2021

Date