

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	:	
	:	FINAL DECISION AND ORDER
STEVEN W. CAMPBELL, D.D.S.,	:	
RESPONDENT.	:	ORDER 0007870

Division of Legal Services and Compliance Case No. 21 DEN 052

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

Steven W. Campbell, D.D.S.
Racine, WI 53406

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. Steven W. Campbell, D.D.S. (Respondent), (Year of Birth 1949) is licensed in the state of Wisconsin as a dentist, having license number 2450-15, first issued on April 11, 1980, and current through September 30, 2023. Respondent's most recent address on file with the Wisconsin Department of Safety and Professional Services (Department) is in Racine, Wisconsin 53406.

2. On June 20, 2020, Patient A saw Respondent for an initial visit with concerns her upper fixed bridge was loose, and that she needed a complete upper denture. Respondent took periapical x-rays of Patient A's teeth.

3. Respondent advised in his response to the Division of Legal Services and Compliance (Division), that he recommended that eight (8) teeth be extracted due to broken teeth,

broken fillings, and recurrent decay. Respondent advised Patient A that several of Patient's A's upper and lower teeth could be saved and would be used to anchor a partial upper and partial lower denture instead of complete dentures. Of the teeth that Respondent advised could be saved, several had been previously crowned. Patient A agreed to Respondent's recommendation and on July 17, 2020, the eight (8) teeth were extracted. After extraction, Patient A's remaining intact teeth were teeth #s 2, 3, 10, 11 and 14 (upper jaw), and 18, 20, 22 and 27 (lower jaw).

4. The June 20, 2020 periapical x-rays showed decay on teeth #s 22 and 27, and what appears to be the start of decay on the distal of tooth #3. Dental records generated from Respondent's treatment of Patient A do not mention the presence of decay on these teeth.

5. The June 20, 2020 periapical x-rays showed a periodontal defect on the mesial buccal root of tooth #3 where the periodontal ligament space is enlarged. Dental records generated from Respondent's treatment of Patient A do not mention the periodontal defect.

6. In July 2020, Respondent placed Patient A's new upper and lower partial dentures. Thereafter and through October 2020, on multiple occasions, Patient A returned to Respondent for adjustments to her partial dentures. Patient A advised Respondent that the partials were causing her a lot of pain, were uncomfortable to wear, and that she could not eat with them.

7. In January 2021, Patient A sought treatment from Dentist B. Dentist B took a panoramic x-ray and based on that x-ray, advised Patient A that she had "caries lesion under the crown, cervical on the roots." The panoramic x-ray showed gross caries on tooth #3, and possible decay on the mesial of tooth #18 and on the distal of tooth #14.

8. In April 2021, Patient A sought treatment from Dentist C. Dentist C took x-rays which depicted decay on the mesial of tooth #18 under the filling, decay on the distal of tooth #14 under the crown, and decay on the distal of tooth #3 under the crown.

9. Respondent's dental records for Patient A do not contain charting, clinical notes, documentation of the presence of decay, broken fillings and broken teeth, documentation that Respondent informed Patient A of the availability of reasonable alternative modes of treatment and about the benefits and risks of these treatments, and/or documentation of informed consent. The x-rays contained in Patient A's patient records (generated by Respondent) are undated, do not identify the type of x-ray, and do not identify the tooth captured in the x-ray.

10. For the biennium ending September 30, 2019, Respondent could only produce evidence of 22 continuing education credits. For that same biennium, Respondent produced no evidence of completion of two (2) hours of continuing education on the topic of responsible prescribing of controlled substances for the treatment of acute dental pain, and no evidence of current proficiency in cardiopulmonary resuscitation, including the use of an automated external defibrillator.

11. By failing to diagnose and chart in Patient A's records the existence of decay and/or caries, apparent in the June 20, 2020 x-rays, Respondent practiced in a manner which substantially departs from the standard of care ordinarily exercised by a dentist which harmed or could have harmed a patient.

12. During the investigation of this matter, Respondent provided as follows:

- a. It is Respondent's practice philosophy to attempt to keep as many intact teeth as possible rather than extracting all teeth for complete dentures.
- b. Respondent considered Patient A's dental anatomy and financial limitations when recommending a partial upper and partial lower instead of complete dentures.
- c. Respondent refunded the lower partial fee to Patient A.
- d. Respondent completed continuing education credits on the topic of responsible prescribing of controlled substances of acute dental pain and cardiopulmonary resuscitation, including the use of an automated external defibrillator, but he cannot locate documentation of the credit hours.

13. By failing to diagnose and chart in Patient A's records the existence of the periodontal defect on tooth #3 apparent in the June 20, 2020 x-rays, Respondent practiced in a manner which substantially departs from the standard of care ordinarily exercised by a dentist which harmed or could have harmed a patient.

14. By failing to take bitewing x-rays of Patient A on June 20, 2020, Respondent practiced in a manner which substantially departs from the standard of care ordinarily exercised by a dentist which harmed or could have harmed a patient.

15. By failing to maintain complete patient records, Respondent practiced in a manner which substantially departs from the standard of care ordinarily exercised by a dentist which harmed or could have harmed a patient.

16. In resolution of this matter, Respondent consents to the entry of the following Conclusions of Law and Order.

CONCLUSIONS OF LAW

1. The 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 committed unprofessional conduct 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 within the meaning of Wis. Admin. Code § DE 5.02(5).

3. By the conduct described in the Findings of Fact, Respondent committed unprofessional conduct by failing to comply with the cardiopulmonary resuscitation requirement found in Wis. Stat. § 447.04(1)(a)5m, and within the meaning of Wis. Admin. Code § DE 5.02(24).

4. By the conduct described in the Findings of Fact, Respondent failed to comply with the continuing education requirements found in Wis. Admin. Code. § DE 13.03.

5. By the conduct described in the Findings of Fact, Respondent committed unprofessional conduct by violating a valid rule of the Board within the meaning of Wis. Admin. Code. § DE 5.02(16).

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

ORDER

1. The attached Stipulation is accepted.
2. Respondent is REPRIMANDED.
3. The license issued to Respondent to practice dentistry (license no. 2450-15), is LIMITED as follows:

- a. Respondent shall come into compliance with the continuing education requirements found in Wis. Admin. Code. § DE 13.03, and Wis. Stat. § 447.04(1)(a)5m., concerning the biennium ending September 30, 2019, no later than six (6) months following the date of this Order.

4. The license issued to Respondent to practice dentistry (license no. 2450-15), is further LIMITED as follows:

- a. Within six (6) months of the date of this Order, Respondent shall at his own expense, successfully complete six (6) hours of education on the topic of patient records, ten (10) hours on the topic of examination and diagnosis, and ten (10) hours on the topic of treatment planning, offered by a provider pre-approved by the Board 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. The Board's monitoring liaison may approve course(s) to be taken via webinar, online, or otherwise remotely, in response to a request from Respondent.

- c. Respondent shall submit proof of successful completion of the education in the form of verification from the institution providing the education to the Department Monitor at the address stated below. 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.

- d. The Board 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.

- e. This limitation shall be removed from Respondent's license after satisfying the Board or its designee that Respondent has successfully completed all the ordered education.

5. Within ninety (90) days from the date of this Order, Respondent shall pay COSTS of this matter in the amount of \$981.00.

6. Any requests, petitions, payments of costs (made payable to Department of Safety and Professional Services), and other information required by this Order shall be submitted to:

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

Respondent may also submit this information online at: <https://dpsmonitoring.wi.gov>

7. In the event Respondent violates any term of this Order, Respondent's license (2450-15), or Respondent's right to renew his license, 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.

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

WISCONSIN DENTISTRY EXAMINING BOARD

By:


A Member of the Board

3/2/2022

Date

STATE OF WISCONSIN
BEFORE THE DENTISTRY EXAMINING BOARD

IN THE MATTER OF DISCIPLINARY
PROCEEDINGS AGAINST

STEVEN W. CAMPBELL, D.D.S.,
RESPONDENT.

:
:
:
:
:
:

STIPULATION
ORDER 0007879

Division of Legal Services and Compliance Case No. 21 DEN 052

Steven W. Campbell, D.D.S. (Respondent), 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.

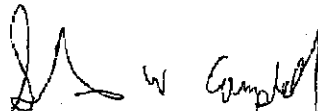
4. Respondent agrees to the adoption of the attached Final Decision and Order by the Wisconsin Dentistry Examining Board (Board). The parties to the Stipulation consent to the entry of the attached Final Decision and Order without further notice, pleading, appearance or consent of the parties. Respondent 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.

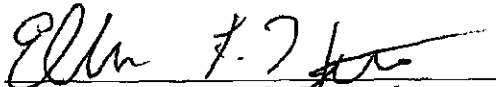
7. Respondent is informed that should the Board adopt this Stipulation, the Board's Final Decision and Order is a public record and will be published in accordance with standard Department procedure.

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.



Steven W. Campbell, D.D.S., Respondent
Racine, WI 53406
License No. 2450-15

2/11/2022
Date



Ellison Hitt, Attorney for Respondent
Siesennop & Sullivan LLP
111 W. Pleasant St., Ste 110
Milwaukee, WI 53212

2/11/22
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

February 10, 2022
Date