

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

CHRISTOPHER J. RAUCH, D.D.S.,
RESPONDENT.

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FINAL DECISION AND ORDER

ORDER 0008322

Division of Legal Services and Compliance Case No. 22 DEN 009

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

Christopher J. Rauch, D.D.S.
Ripon, WI 54971

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. Christopher J. Rauch, D.D.S. (Respondent), (Year of Birth 1958) is licensed in the state of Wisconsin as a dentist, having license number 3880-15, first issued on November 20, 1987 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 Ripon, Wisconsin 54971.

2. At all times relevant to this proceeding, Respondent practiced dentistry at a clinic located in Ripon, Wisconsin (Clinic).

3. Respondent has no prior disciplinary history with the Wisconsin Dentistry Examining Board.

4. On January 13, 2022, Division of Legal Services and Compliance (DLSC) received a complaint from Patient A (a female born in 1962) alleging Respondent engaged in verbally abusive behavior during her appointment for a dental cleaning on October 27, 2021. At screening, the panel did not find a violation for Respondent's allegedly abusive comments. The case was opened to investigate Respondent's periodontic charting, lack of documented diagnostic information, and whether the radiographic images obtained by Respondent were sufficient given that Patient A had not been seen by Respondent for approximately three years.

5. Respondent reported that the October 27, 2021 visit had not been what Patient A was accustomed to since it had been three years since her last visit. "She had been a very routine AAP Case type II perio. She presented with heavy calculus."

6. Respondent further stated that, while it is uncommon, he provides most to all of a patient's periodontal care in his office and he is the only dentist in the office.

7. At the October 27, 2021 visit, in addition to debridement and polishing, Respondent stated he provided localized scaling and root planing on the few sites greater than 3mm probing.

8. Upon request from the Department, Respondent provided a certified, complete copy of Patient A's record. This record covered dates of service from July 31, 2013 through October 27, 2021 and consisted of four pages.

9. A review of Patient A's records showed nine visits, between July 31, 2013 and October 27, 2021, which included both routine examinations as well as visits for acute complaints. Patient A had no visits between August 1, 2018 and October 27, 2021.

10. On June 9, 2022, the Department requested of Respondent a copy of Patient A's most recent panoramic images and the complete set of the x-rays obtained at her October 27, 2021 visit.

11. On June 24, 2022, Respondent provided two images of tooth #18, taken on March 9, 2018 by Patient A's endodontist and periapical images dated July 31, 2013 and April 16, 2015.

12. Respondent's notes of Patient A's treatment indicate that he obtained bitewings and periapical images on July 31, 2013, periapical images on April 15, 2015, bitewings on March 2, 2017, periapical images on January 24, 2018, and bitewings on October 27, 2021. However, Respondent was only able to provide images dated July 31, 2013, April 16, 2015, and October 27, 2021. Respondent stated, and the records confirm, that one periapical image was provided to Patient A on March 7, 2018 for her to provide to her endodontist. These images have not been returned to Respondent's office.

13. Based upon the images that Respondent provided and his statement that a periapical image had been transferred to another treater, Respondent obtained radiographic images of Patient A during three visits (one set of bitewings and three periapicals) between July 31, 2013 and August 1, 2018 with an additional set of bitewings on October 27, 2021 after an approximate three year gap in Patient A's treatment by Respondent. While the treatment notes provided by Respondent indicate that a set of bitewings was obtained at Patient A's March 2, 2017 visit, the records that

Respondent certified as “true, accurate, and complete,” with an additional handwritten statement that “x-ray copies are also enclosed,” do not contain these images.

14. None of the images provided by Respondent include panoramic or full mouth images. None of the treatment notes for Patient A state that panoramic or full mouth images were obtained. In Respondent’s June 24, 2022 response to the Department, he confirmed that Patient A’s record does not reflect that a panoramic or full mouth series was obtained by his office and there are no panoramic or full mouth images on file.

15. 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 engaged in 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. As a result of the above conduct, Respondent is subject to discipline pursuant to Wis. Stat. § 447.07(3)(a) and (f) and Wis. Admin. Code § DE 5.02.

ORDER

1. The attached Stipulation is accepted.

2. Respondent is REPRIMANDED.

3. Respondent’s license to practice dentistry in the state of Wisconsin (license number 3880-15), is LIMITED as follows:

a. Within ninety (90) days of the date of this Order, Respondent shall at his own expense, successfully complete ten (10) hours of education by completing all four course modules of “The Ultimate Guide to Dentistry’s Standard of Care,” available at: <https://www.dentaltown.com/onlinece/series/32/the-ultimate-guide-to-dentistrys-standard-of-care>, including taking and passing any exam(s) offered for the course.

b. 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.

- c. 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.
 - d. 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.
4. Within ninety (90) days from the date of this Order, Respondent shall pay COSTS of this matter in the amount of \$662.00.
5. 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>.

6. In the event Respondent violates any term of this Order, Respondent's license (number 3880-15), 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.

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

WISCONSIN DENTISTRY EXAMINING BOARD

By: 
A Member of the Board

Date 1/4/2023

STATE OF WISCONSIN
BEFORE THE DENTISTRY EXAMINING BOARD

IN THE MATTER OF DISCIPLINARY
PROCEEDINGS AGAINST

CHRISTOPHER J. RAUCH, D.D.S.,
RESPONDENT.

STIPULATION

ORDER 0008322

Division of Legal Services and Compliance Case No. 22 DEN009

Christopher J. Rauch, 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.

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. Respondent is further informed that should the Board adopt this Stipulation, the Board's Final Decision and Order will be reported as required by the National Practitioner Databank (NPDB) Guidebook and as otherwise required by any licensure compact or any other state or federal law.


9. The Division of Legal Services and Compliance joins Respondent in recommending the Board adopt this Stipulation and issue the attached Final Decision and Order.


Christopher J. Rauch, D.D.S., Respondent
Ripon, WI 54971
License No. 3880-15

11-30-22
Date


Erik H. Monson, Attorney for Respondent
Coyne, Schultz, Becker & Bauer, S.C.
150 East Gilman Street, Suite 1000
Madison, WI 53703

12-7-22
Date


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

12/7/2022
Date