

IN THE MATTER OF
THE LICENSE OF

PAUL WILKE, D.D.S.

TEXAS DENTAL LICENSE
NUMBER 12632

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BEFORE THE STATE

BOARD OF

DENTAL EXAMINERS

AGREED SETTLEMENT ORDER

On the 28 day of October, 2005, the State Board of Dental Examiners ("Board" or "SBDE") met in a regularly scheduled meeting and the above styled case was heard.

On August 18, 2005 SBDE proposed this agreed settlement order in the above captioned case against Paul Wilke, D.D.S., hereinafter "Respondent," holder of Texas dental license No. 12632. At issue are allegations that the Respondent violated the laws and rules regulating the practice of dentistry.

Respondent wishes to waive further formal adjudicatory proceedings and voluntarily enters into the following Agreed Settlement Order. Respondent, by signature below, acknowledges that Respondent fully understands the nature of the findings of fact and conclusions of law set out herein, that Respondent has been advised of the right to legal representation, and that Respondent has been given the opportunity to formally contest any Board allegations in an adjudicatory proceeding.

Upon the Board Secretary's recommendation, the following Agreed Settlement Order is proposed, contingent on Board approval.

FINDINGS OF FACT

1. On or about September 3, 2002, the Respondent fell below the minimum standard of care in the placement of a bridge with open margins on teeth #17-19 in patient O.M.
2. During the time period from June 26, 2002 through September 26, 2002, the Respondent fell below the standard of care by failing to make, maintain, and keep adequate dental records on patient O.M. Specifically, the record does not include: a written informed consent signed by the patient for the administration of anesthesia on multiple occasions; or written informed consent for extractions performed on June 26, 2002 and July 16, 2002.

CONCLUSIONS OF LAW

The references to Statutes and Rules cited below are to the Statutes and Rules in effect at the time of the violations.

1. The State Board of Dental Examiners has authority and jurisdiction over this case pursuant to Tex. Rev. Civ. Stat., Article 4549, Section 2 (Vernon 1995-1999) and V.T.C.A., Occupations Code §263.002 (Vernon Supp. 1999-2003) of the Dental Practice Act.
2. The conduct described in Finding of Fact No. 1 constitutes a violation of TEX. OCC. CODE §263.002(a)(4) and (10) (Vernon Supp. 2001); 22 Tex. Admin. Code §108.7 (December 2001).
3. The conduct described in Finding of Fact No. 2 constitutes a violation of TEX. OCC. CODE §263.002(a)(4) and (10) (Vernon Supp. 2001); 22 Tex. Admin. Code §§108.7 and 108.8 (December 2001).

ORDER

IT IS THEREFORE AGREED and ORDERED THAT:

1. Respondent's Texas Dental License No. 12632, issued to Paul Wilke, is hereby issued the sanction of WARNING.
2. Respondent SHALL pay an administrative monetary fine in the amount of five hundred dollars (\$500.00), payable to the "Texas State Board of Dental Examiners" located at 333 Guadalupe, Tower 3, Suite 800, Austin, Texas. The administrative monetary fine SHALL be paid in one (1) lump sum or in installment payments, the total amount due no later than six (6) months from the effective date of this Order.
3. Respondent SHALL complete a total of six (6) hours of Continuing Education courses. Under this stipulation, the continuing education courses SHALL be completed within six (6) months of the effective date of this Order. Continuing Education courses completed SHALL be in the following area(s):
 - a. Crown and bridge - 3 hours
 - b. Risk management and recordkeeping - 3 hours

This continuing education SHALL be in addition to Respondent's annual continuing education hours required for licensure by the Board.

All continuing education courses SHALL be approved in advance by the Board Secretary. It is the responsibility of the Respondent to obtain such

approval. Courses taken without prior approval and prior to the effective date of this Order SHALL NOT satisfy the requirements of this Order. The Board Secretary SHALL have the authority to reduce the number of continuing education days or hours based on course availability. Upon the successful completion of each course, the Respondent SHALL provide completion documentation to the Board.

4. Respondent SHALL take and pass the jurisprudence examination within six (6) months of the effective date of this Order. The fees for the examination SHALL be borne by Respondent. A jurisprudence examination taken prior to the effective date of this Order SHALL NOT count towards satisfying this requirement.
5. Respondent SHALL abide by the Laws of the State of Texas, the Dental Practice Act, the rules and regulations of the Board, and any reporting requirements imposed to ensure compliance with this Order.

By signing this Agreed Settlement Order, Respondent agrees to its terms, acknowledges Respondent's understanding of it, and agrees that Respondent will satisfactorily comply with the mandates of this Order in a timely manner or be subject to appropriate disciplinary action by the State Board of Dental Examiners.

Respondent's signature hereon does not constitute either admission or denial of the allegations set forth in this Order or the underlying complaint, and it does not constitute admission or denial of the findings of fact and the conclusions of law set forth.

Respondent, by signing this Agreed Settlement Order, waives any right to a formal hearing and any right to judicial review of this Order. Failure to comply with the terms and conditions of this Order SHALL constitute a violation of this Order and may subject Respondent to further disciplinary action by the Board.

All of the above terms, conditions, and penalties become effective on the effective date of this Order. The effective date of this Agreed Settlement Order shall be the date it is executed by the State Board of Dental Examiners.

[REDACTED]

PAUL WILKE, DDS
Respondent

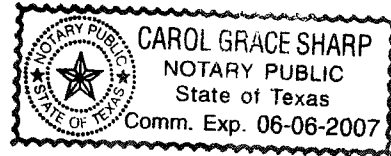
[REDACTED]

notarized the signature of PAUL

WILKE, DDS, this 30th day of August 2005.

[REDACTED]

NOTARY PUBLIC
IN and FOR THE STATE OF TEXAS



STATE BOARD OF DENTAL EXAMINERS

SIGNED this 28 day of 01T 2005.



Gary McDonald, D.D.S., Presiding Officer
State Board of Dental Examiners



Juan D. Villarreal, D.D.S., Secretary
State Board of Dental Examiners