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MAR - 7 2011  
KANSAS DENTAL BOARD

BEFORE THE KANSAS DENTAL BOARD

*In The Matter Of* )  
 )  
ERIC J. WISDOM, DDS ) Case No. 10-92  
 )  
LICENSE NO. 5188 )

**EMERGENCY AGENCY ORDER**

Eric J. Wisdom, DDS (the "Respondent") is currently authorized to practice dentistry in the State of Kansas by reason of the Kansas Dental Board (the "Board") having issued him License No. 5188.

It has come to the attention of the Board's Investigation Member that the Respondent has committed the following acts:

1. On repeated occasions, as part of orthodontic treatment, the Respondent has removed enamel from the patient's tooth to make room for application of a band.
2. The Respondent's practice of removing enamel from the patient's tooth to make room for a band as part of orthodontic treatment, is below the applicable standard of care, permanently destroys healthy tooth material and makes the damaged tooth susceptible to decay and further destruction. The damage done to the patient's tooth is irreversible.
3. Unless prevented, the Respondent will use this substandard and permanently harmful technique on other orthodontic patients.

After considering the foregoing, the Board's Investigation Member, in accordance with the authority granted to him by the Board, enters the following emergency agency order, pursuant to K.S.A. 77-536 and K.S.A. 65-1449.

## I. FINDINGS OF FACT

For purposes of this order, the Board's Investigation Member makes the following findings of fact:

1. The Board has previously issued Respondent license number 5188, which entitled him to practice dentistry in the State of Kansas ("Respondent's License").
2. As part of orthodontic treatment, the Respondent employs a technique of permanently removing health tooth enamel for the purpose of making room for a band.
3. The Respondent technique of permanently removing health tooth enamel for the purpose of making room for a band as part of orthodontic treatment is below the applicable standard of care, permanently destroys healthy tooth material and makes the damaged tooth susceptible to decay and further destruction. The damage done to the patient's tooth is irreversible.
4. Unless prevented, the Respondent will use this substandard and permanently harmful technique on other orthodontic patients.

## II. CONCLUSIONS OF LAW AND FACT

For purposes of this order, the Board's Investigation Member makes the following conclusions of law and fact:

1. If Respondent were to begin treatment of any new orthodontic patients his treatment would constitute an immediate danger to the public health and safety or welfare. The least restrictive way to prevent or avoid the immediate danger Respondent poses to the public health, safety and welfare is to limit Respondent's License by prohibiting him from beginning to treat any new orthodontic cases.

2. There is cause to believe the acts committed by Respondent could form the basis for discipline of Respondent's License, including revocation or suspension, pursuant to various provisions of the Dental Act, including K.S.A. 65-1436 (a)(3).

### III. EMERGENCY ORDER

Pursuant to K.S.A. 77-536 and K.S.A. 65-1449, and based upon the foregoing findings and conclusions, Respondent's License is hereby limited, effective immediately and until further order of the Board as follows:

- A. Respondent is prohibited from beginning to treat any new orthodontic cases; and
- B. Respondent is prohibited from removing tooth enamel from a tooth of any current patient for the purpose of making room for a band as part of orthodontic treatment.

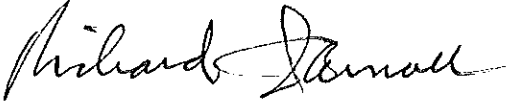
Within fifteen (15) days after service of this Emergency Agency Order, either party may file a petition for reconsideration pursuant to K.S.A. 77-529.

Within the time limits established in K.S.A. 77-613, either party may seek judicial review of this Emergency Agency Order, pursuant to said statute. The agency officer designated to receive service of a petition for judicial review is:

Betty Wright  
Executive Director  
Kansas Dental Board  
900 SW Jackson, Room 564-S  
Topeka, KS 66612

IT IS SO ORDERED.

3-3-2011  
Date

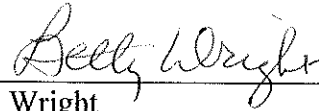
  
Richard Darnall, DDS  
Investigation Member  
Kansas Dental Board

CERTIFICATE OF SERVICE

I hereby certify that I did, on the 7<sup>th</sup> day of March, 2011, deposit in the United States mail, postage prepaid, a copy of the foregoing EMERGENCY AGENCY ORDER, properly addressed to the following:

Eric J. Wisdom, DDS  
1629 Poyntz Avenue  
Manhattan, KS 66502

Tracie R. England  
Hite, Fanning & Honeyman, LLP  
100 North Broadway, Suite 950  
Wichita, KS 67202-2209



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Betty Wright  
Executive Director  
Kansas Dental Board