
**ORDER OF THE MISSOURI DENTAL BOARD
REGARDING ISSUANCE OF A PROBATED LICENSE TO
MARY PAT COLLIER, R.D.H.**

The Missouri Dental Board (“Board”) hereby issues its ORDER granting a PROBATED license to Mary Pat Collier, R.D.H. (“Collier”) pursuant to the provisions of §324.038, RSMo 2000. As set forth in §324.038.2, RSMo, Collier may submit a written request for a hearing to the Administrative Hearing Commission seeking review of the Board’s decision issuing a probated license to Collier. Such written request must be submitted to the Administrative Hearing Commission within thirty (30) days of the delivery or mailing of this Order by certified mail. The written request should be addressed to the Administrative Hearing Commission, P.O. Box 1557, Truman Building Rm. 604, Jefferson City, MO 65102-1557. If no written request for review is received by the Administrative Hearing Commission within the thirty (30) day period, the right to seek review of the Board’s decision shall be considered waived.

Based upon the foregoing, the Board hereby states:

1. The Missouri Dental Board (“Board”) is an agency of the state of Missouri created and established pursuant to § 321.021, RSMo 2000, for the purpose of executing and enforcing the provisions of Chapter 332, RSMo.
2. Respondent, Mary Pat Collier (“Collier”), was licensed by the Board as a dental hygienist, license No. 001090. Collier’s license was current and active until revoked by the

Board following a probation violation hearing held January 19, 2008 in the case styled *Missouri Dental Board v. Mary Pat Collier*, Case No. DB-08-04.

3. On March 29, 2007, the Board and Collier entered into a Settlement Agreement (“Agreement”) placing Collier's dental hygienist license on probation for a period of five (5) years commencing on April 13, 2007.

4. Prior to May 17, 2007, at a date certain known only to Collier, Collier relapsed and consumed alcohol in violation of Section II, paragraph G of the Agreement which states:

G. During the disciplinary period, Licensee shall abstain completely from the use or consumption of alcohol. The presence of any alcohol whatsoever in a biological fluid sample shall constitute a violation of Licensee's discipline.

5. On or about May 27, 2007, Collier stopped participating in the Missouri Well-Being Committee in violation of Section II, paragraph A of the Agreement which states:

A. During the disciplinary period, Licensee shall participate in the Missouri Dental Well-being Committee (“Committee”). Within fifteen (15) days of the effective date of this agreement, Licensee shall cause the Committee to send written notification to the Missouri Dental Board, P.O. Box 1367, Jefferson City, Missouri 65102, confirming that Licensee has joined the program. Licensee shall also direct the Committee to forward an evaluation report to the Board detailing the treating professional's findings, specification of DSM IV diagnosis/es, prognosis, and treatment recommendations within 15 days of entering this agreement. Licensee shall follow all recommendations for treatment or aftercare made by the treating professional and/or Committee.

6. Section II, paragraph B of the Agreement requires Collier take and pass the Board's jurisprudence examination on or before October 13, 2007, it states:

Licensee shall take and pass the Board's designated jurisprudence examination within six (6) months of the start of the disciplinary period. Licensee shall contact the Board office to request a current law packet and permission to sit for the jurisprudence examination no less than thirty (30) days prior to the date Licensee desires to take the examination. Licensee shall submit the required re-examination fee to the Board prior to taking the examination. Failure to take and pass the examination during the first six (6) months of the disciplinary period shall constitute a violation of this Agreement.

7. Collier failed to take and pass the jurisprudence examination on or before October 13, 2007 in violation of Section II, paragraph B of the Agreement.

8. Page 7, paragraphs H and I of the Agreement states:

H. If Licensee fails to comply with the terms of this Settlement Agreement, in any respect, the Board may impose such additional or other discipline that it deems appropriate, including revocation.

I. This Settlement Agreement does not bind the Board or restrict the remedies available to it concerning any other violation of Chapter 332, RSMo, by Licensee not specifically mentioned in this document.

9. On or about January 19, 2008 in the case styled *Missouri Dental Board v. Mary Pat Collier*, Case No. DB-08-04, the Board held a probation violation hearing.

10. Collier was timely and properly served with notice of the hearing, but failed to attend.

11. On or about April 4, 2008, the Board issued its order revoking Collier's license for failure to comply with the April 13, 2007 Settlement Agreement.

12. On or about May 21, 2009, the Board received Collier's Application for Licensure as a Dental Hygienist.

13. Pursuant to section 324.038.1, RSMo, whenever a board within or assigned to the division of professional registration, may refuse to issue a license for reasons which also serve as a basis for filing a complaint with the administrative hearing commission seeking disciplinary action against a holder of a license, the board, as an alternative to refusing to issue a license, may, at its discretion, issue to an applicant a license subject to probation.

14. Pursuant to § 332.321, RSMo the Board may refuse to issue any certificate of registration or authority, permit or license required pursuant to Chapter 332 for one or any combination of causes stated in subsection 2 of this section.

15. The Board hereby issues this ORDER in lieu of denial of Collier's request for a license to practice dental hygiene in Missouri.

TERMS AND CONDITIONS

Collier shall be issued a license to practice dental hygiene in the State of Missouri subject to **FIVE (5) YEARS PROBATION** ("disciplinary period"). Collier shall be entitled to engage in the practice of dental hygiene, provided she adheres to the terms of this Order. The terms of the disciplinary period shall be:

I. REQUIREMENTS REGARDING CONTINUING EDUCATION

Ethics Course

- A. Collier shall take the continuing education course in ethics sponsored by the University of Missouri-Kansas City or its equivalent. This continuing education shall be in addition to the continuing education required by law for licensure renewal by the Board. This course must be taken within the first twelve (12) months of Collier's disciplinary period. Collier shall provide the Board with proof of attendance from the sponsor of the program no later than thirty (30) days after attending the course. Failure to obtain the required additional continuing education hours and/or submit the required documentation to the Board will result in a violation of the terms of discipline.

II. REQUIREMENTS REGARDING THE MISSOURI DENTAL WELL-BEING COMMITTEE

- A. During the disciplinary period, Licensee shall participate in the Missouri Dental Well-being Committee ("Committee"). Within fifteen (15) days of the effective date of this agreement, Licensee shall cause the Committee to send written notification to the Missouri Dental Board, P.O. Box 1367, Jefferson City, Missouri 65102, confirming that Licensee has joined the program. Licensee shall also direct the Committee to forward an evaluation report to the Board detailing the treating professional's findings, specification of DSM IV diagnosis/es, prognosis, and treatment recommendations within 15 days of entering this agreement. Licensee shall follow all recommendations for treatment or aftercare made by the treating professional and/or Committee. Failure to participate in the Well-Being Committee shall constitute a violation of this Agreement.
- B. Licensee shall execute a medical release or other appropriate release that shall remain in effect for the entire disciplinary period authorizing the Board to obtain records of Licensee's treatment for chemical dependency. Licensee shall not take any action to cancel this release. Licensee shall take any and all steps necessary to continue the release in effect and shall provide a new release when requested.
- C. Licensee shall cause a letter of ongoing treatment evaluation from the treating professional to be submitted to the Board by January 1 and July 1 during each year of the disciplinary period beginning the effective date of this disciplinary agreement.

(1) The letter shall include an evaluation of Licensee's current progress and status related to the treatment recommendations/plan and Licensee's current prognosis and treatment recommendations/plan.

(2) The letter shall be sent by the treating professional and/or the Committee addressed to: Missouri Dental Board, P.O. Box 1367, Jefferson City, Missouri 65102.

- D. If the treatment of Licensee is successfully completed at any time during the disciplinary period, Licensee shall cause the treating professional and/or the Committee to submit a letter of final evaluation/summary that includes a statement that Licensee has successfully completed treatment and indicates whether Licensee should continue in a 12-step program. If continuance in a 12-step program is recommended, Licensee shall comply with terms of documentation as outlined in paragraph E below.
- E. If attendance is recommended, Licensee shall submit evidence of weekly (or recommended) attendance at Alcoholics Anonymous, Narcotics Anonymous, or other support group meetings to the Board by January 1 and July 1 during each year of the disciplinary period beginning the effective date of this disciplinary agreement. The documentation shall include the date, time and place of the meeting and shall bear a signature or abbreviated signature of another person verifying attendance.
- F. During the disciplinary period, Licensee shall abstain completely from the personal use or possession of any controlled substance or other drug for which a prescription is required unless that use of the drug has been prescribed by a person licensed to prescribe such drug and with whom Licensee has a bona-fide relationship as a patient. Licensee shall forward to the Board written documentation of any such prescription within ten (10) days of issuance of the prescription specifying the medication prescribed, dosage prescribed, and the condition for which the substance was prescribed. Upon request, Licensee shall execute a medical release authorizing the Board to access all records pertaining to Licensee's condition, treatment and prescription maintained by the health care professional that prescribed the controlled substance.
- G. During the disciplinary period, Licensee shall abstain completely from the use or consumption of alcohol. The presence of any alcohol whatsoever in a biological fluid sample shall constitute a violation of Licensee's discipline.

III. RANDOM DRUG SCREENS

- A. During the disciplinary period, Licensee shall, at Licensee's expense, submit to drug screens as required by the Board. Licensee shall, upon demand and without delay, provide a biological sample to the Board's designated representative, including allowing the Board's designated representative to obtain witnessed biological fluid samples and shall cooperate fully and completely with the Board's designated representative in providing such samples. The presence of any controlled substance, alcohol, or any drug whatsoever in a drug screen for which Licensee does not hold a valid prescription shall constitute a violation of this Agreement.

IV. GENERAL REQUIREMENTS

- A. Collier shall meet with the Board or its representatives at such times and places as required by the Board after notification of a required meeting.
- B. Collier shall submit reports to the Missouri Dental Board, P.O. Box 1367, Jefferson City, Missouri 65102, stating truthfully whether she has complied with all the terms and conditions of this Order by no later than January 1 and July 1 during each year of the disciplinary period.
- C. Collier shall keep the Board apprised of her current home and work addresses and telephone numbers. Collier shall inform the Board within ten days of any change of home or work address and home or work telephone number.
- D. Collier shall comply with all provisions of the Dental Practice Act, Chapter 332, RSMo; all applicable federal and state drug laws, rules, and regulations; and all federal and state criminal laws. "State" here includes the state of Missouri and all other states and territories of the United States.
- E. During the disciplinary period, Collier shall timely renew her license and timely pay all fees required for licensing and comply with all other board requirement necessary to maintain Collier's license in a current and active state.

- F. If at any time during the disciplinary period, Collier removes herself from the state of Missouri, ceases to be currently licensed under the provisions of Chapter 332, or fails to advise the Board of her current place of business and residence, the time of her absence, unlicensed status, or unknown whereabouts shall not be deemed or taken as any part of the time of discipline so imposed in accordance with § 332.321.9, RSMo.
- G. During the disciplinary period, Collier shall accept and comply with unannounced visits from the Board's representatives to monitor her compliance with the terms and conditions of this Order.
- H. If Collier fails to comply with the terms of this Order, in any respect, the Board may impose such additional or other discipline that it deems appropriate, including revocation.
- I. This Order does not bind the Board or restrict the remedies available to it concerning any other violation of Chapter 332, RSMo, by Collier not specifically mentioned in this document.

V. ADDITIONAL REQUIREMENTS

- A. Collier shall not allow her license to lapse.
- B. The terms of discipline apply even if Collier places her license on inactive status.
- C. Collier shall notify, within 15 days of the effective date of this Order, all hospitals, nursing homes, out-patient centers, surgical centers, clinics, and all other facilities where Collier practices or has privileges of Collier's disciplinary status. Notification shall be in writing and Collier shall, contemporaneously with the giving of such notice, submit a copy of the notice to the Board for verification by the Board or its designated representative.

* * * *

2. The Board will maintain this Order as an open and public record of the Board as provided in Chapters 324, 332, and 610, RSMo.

3. Upon the expiration of said discipline period, Licensee's dental hygienist license in Missouri shall be fully restored if all other requirements of law have been satisfied;

provided, however, that in the event the Board determines that the Licensee has violated any term or condition of this Order, the Board may, in its discretion, after an evidentiary hearing before the Board, vacate and set aside the discipline imposed herein and may suspend, revoke, or otherwise lawfully discipline Licensee.

4. No order shall be entered by the Board pursuant to the preceding paragraph of this Order without notice and an opportunity for hearing before the Board in accordance with the provisions of Chapter 536, RSMo.

5. If the Board determines that Licensee has violated a term or condition of this Order, which violation would also be actionable in a proceeding before the Administrative Hearing Commission or the circuit court, the Board may elect to pursue any lawful remedies or procedures afforded it and is not bound by this Order in its determination of appropriate legal actions concerning that violation.

SO ORDERED EFFECTIVE THIS 16th DAY OF NOVEMBER 2009.

MISSOURI DENTAL BOARD



Brian Barnett
Executive Director