

**BEFORE THE
ADMINISTRATIVE HEARING COMMISSION
STATE OF MISSOURI**

MISSOURI DENTAL BOARD)	
)	
PETITIONER,)	
)	
v.)	Case No. DB 08-09
)	
RONALD E. JENNINGS, D.D.S.)	
RESPONDENT.)	
)	

**FINDINGS OF FACT, CONCLUSIONS OF LAW
AND DISCIPLINARY ORDER**

On July 19, 2008, the Missouri Dental Board held a hearing on the Notice of Disciplinary Hearing in the above-styled cause. The hearing was held at the Doubletree Hotel & Convention Center, 16625 Swingley Ridge Road, Chesterfield, Missouri, for the purpose of determining what, if any, disciplinary action should be taken against the certificate of registration and license of Ronald E. Jennings, D.D.S. The Missouri Dental Board was represented by Loretta Schouten. Nanci R. Wisdom advised the Board on legal matters. Respondent, Ronald E. Jennings, D.D.S. appeared with counsel, Les D. Wight. The Board took evidence and heard legal arguments from the parties' attorneys. The Board incorporated into evidence the Settlement Agreement signed by the parties wherein Respondent stipulated that cause exists to discipline his certificate of registration and license to practice dentistry for violations of Chapter 332, RSMo. At the conclusion of the hearing, the Board went into closed session to make its determination.

FINDINGS OF FACT

1. The Missouri Dental Board (“Board”) is an agency of the State of Missouri created and established pursuant to § 332.021, RSMo 2000, for the purpose of executing and enforcing the provisions of Chapter 332.
2. Jurisdiction and venue are proper pursuant to Sections 621.120 and 332.321.1, RSMo.
3. Ronald E. Jennings, D.D.S. (“Licensee” or “Jennings”) holds Missouri Dental License number 011456. Licensee’s Missouri license is current and active.
4. On April 24, 2008, Licensee signed and thereby agreed to enter into a “Settlement Agreement Between Missouri Dental Board and Ronald E. Jennings, D.D.S.” (Settlement Agreement”).
5. Within the Settlement Agreement, Licensee stipulated that cause exists to discipline his certificate of registration and license to practice dentistry for violations of Chapter 332.321.2(5), RSMo.

CONCLUSIONS OF LAW

6. The Missouri Dental Board has jurisdiction to take disciplinary action against the license and certificate of registration of Ronald E. Jennings, D.D.S. pursuant to the provisions of Chapter 332, 536, and 621, RSMo.
7. Pursuant to the parties’ Settlement Agreement, cause exists for the Board to take disciplinary action against Licensee’s license under § 332.321.2(5), RSMo, which states in pertinent part:

2. The board may cause a complaint to be filed with the administrative hearing commission as provided by chapter 621, RSMo, against any holder of any permit or license required by this chapter or any person who has failed to renew or has surrendered his or her permit or license for any one or any combination of the following causes:

....

(5) Incompetency, misconduct, gross negligence, fraud, misrepresentation or dishonesty in the performance of the functions or duties of any profession licensed or regulated by this chapter;

....

ORDER

It is the Order of the Missouri Dental Board that the license and certificate of registration of Ronald E. Jennings, D.D.S. shall be censured for violation of section 332.321.2(5), RSMo.

The provisions of this Order become effective on 26th day of January, 2009.

MISSOURI DENTAL BOARD



Brian Barnett
Executive Director

**SETTLEMENT AGREEMENT BETWEEN MISSOURI DENTAL BOARD
AND RONALD E. JENNINGS, D.D.S.**

Comes now Ronald E. Jennings, D.D.S. ("Licensee") and the Missouri Dental Board ("Board") and enter into this settlement agreement for the purpose of resolving the question of whether Licensee's license to practice dentistry will be subject to discipline.

Pursuant to the terms of § 536.060, RSMo 2000, the parties hereto waive the right to a hearing by the Administrative Hearing Commission of the State of Missouri ("AHC") regarding cause to discipline the Licensee's license.

Licensee acknowledges that he understands the various rights and privileges afforded him by law, including the right to a hearing of the charges against him; the right to appear and be represented by legal counsel; the right to have all charges against him proven upon the record by competent and substantial evidence; the right to cross-examine any witnesses appearing at the hearing against him; the right to present evidence on his own behalf at the AHC hearing; the right to a decision upon the record by a fair and impartial administrative hearing commissioner concerning the charges pending against him and, subsequently, the right to recover attorney's fees incurred in defending this action against his license. Being aware of these rights provided him by operation of law, Licensee knowingly and voluntarily waives each and every one of these rights and freely enters into this settlement agreement and agrees to abide by the terms of this document, as they pertain to him.

Licensee acknowledges that he has received a copy of the investigative report and other documents relied upon by the Board in determining there was cause to discipline his license, along with citations to law and/or regulations the Board believes was violated.

For the purpose of settling this dispute, Licensee stipulates that the factual allegations contained in this settlement agreement are true and stipulates with the Board that Licensee's license, numbered 011456, is subject to disciplinary action by the Board in accordance with the provisions of Chapter 621 and Chapter 332, RSMo.

JOINT STIPULATION OF FACT AND CONCLUSIONS OF LAW

1. The Missouri Dental Board ("Board") is an agency of the State of Missouri created and established pursuant to § 332.021, RSMo 2000, for the purpose of executing and enforcing the provisions of Chapter 332.

2. Ronald E. Jennings, D.D.S. ("Licensee" or "Jennings") holds Missouri Dental License number 011456. Licensee's Missouri license was at all times relevant herein, and is now, current and active.

3. Licensee practices dentistry at 514 S. Noland, Suite 120, Independence, Missouri 64050 ("the office").

4. In 2006, Jennings prescribed Desonide Cream, .05% for his son, Jonathan Jennings.

5. Also in 2006, Jennings prescribed Amitriptyline, 10 mg, 100 tabs, for his son, Jonathan Jennings.

6. Desonide cream relieves inflammation and itching caused by certain skin conditions. It is a topical corticosteroid with limited dental applicability.

7. Amitriptyline has no dental applicability.

8. Licensee engaged in misconduct in the performance of his functions and duties as a dentist.

9. Cause exists for the Board to take disciplinary action against Licensee's license under § 332.321.2(5), RSMo, which states in pertinent part:

2. The board may cause a complaint to be filed with the administrative hearing commission as provided by chapter 621, RSMo, against any holder of any permit or license required by this chapter or any person who has failed to renew or has surrendered his or her permit or license for any one or any combination of the following causes:

....

(5) Incompetency, misconduct, gross negligence, fraud, misrepresentation or dishonesty in the performance of the functions or duties of any profession licensed or regulated by this chapter;

....

10. The parties to this Agreement understand that the Missouri Dental Board will maintain this Agreement as an open record of the Board as provided in Chapters 332, 610, 620, RSMo.

11. The terms of this settlement agreement are contractual, legally enforceable, and binding, not merely recital. Except as otherwise provided herein, neither this settlement agreement nor any of its provisions may be changed, waived, discharged, or terminated, except by an instrument in writing signed by the party against whom the enforcement of the change, waiver, discharge, or termination is sought.

12. Licensee, together with his heirs and assigns, and his attorneys, do hereby waive, release, acquit and forever discharge the Board, its respective members and any of its employees, agents, or attorneys, including any former Board members, employees, agents, and attorneys, of, or from, any liability, claim, actions, causes of action, fees, costs and expenses, and compensation,

including, but not limited to, any claims for attorney's fees and expenses, including any claims pursuant to § 536.087, RSMo, or any claim arising under 42 U.S.C. § 1983, which may be based upon, arise out of, or relate to any of the matters raised in this case, its settlement, or from the negotiation or execution of this settlement agreement. The parties acknowledge that this paragraph is severable from the remaining portions of this settlement agreement in that it survives in perpetuity even in the event that any court of law deems this settlement agreement or any portion thereof to be void or unenforceable.

13. Licensee understands that he may, either at the time the Settlement Agreement is signed by all parties, or within fifteen (15) days thereafter, submit the Agreement to the Administrative Hearing Commission for determination that the facts agreed to by the parties constitute grounds for disciplining Licensee's license. If Licensee desires the Administrative Hearing Commission to review this Agreement, Licensee may submit his request to: **Administrative Hearing Commission, Truman State Office Building, Room 640, 301 W. High Street, P. O. Box 1557, Jefferson City, Missouri 65101.**

14. If Licensee requests review, this Settlement Agreement shall become effective on the date the Administrative Hearing Commission issues its order finding that the Settlement Agreement sets forth cause for disciplining Licensee's license. If Licensee does not request review by the Administrative Hearing Commission, the Settlement Agreement goes into effect fifteen (15) days after the document is signed by the Executive Director of the Board.

LICENSEE

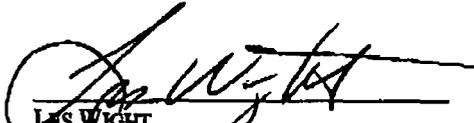
BOARD

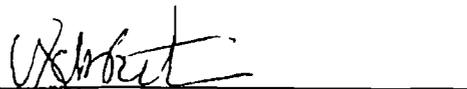

RONALD E. JENNINGS, D.D.S.


BRIAN BARNETT
Executive Director
Missouri Dental Board

Date 4/24/08

Date 6/10/08


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ATTORNEY FOR THE BOARD