

NOTICE OF ENTRY
(SUPREME COURT RULE 74.03)

In The 19th Judicial Circuit Court, Cole County, Missouri

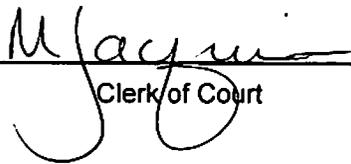
STEVEN J RICHTER DDS V MO DENTAL BOARD

CASE NO : 09AC-CC00154

To: LORETTA A SCHOUTEN
ATTORNEY AT LAW
7970 SOUTH TOMLIN HILL ROAD
COLUMBIA MO 65201

YOU ARE HEREBY NOTIFIED that the court duly entered the following:

| <u>Filing Date</u> | <u>Description</u> |
|--------------------|--|
| 04-May-2010 | Judgment Entered It is Therefore Ordered, Adjudged, and Decreed that the Decision of the Missouri Dental Board, set forth in its Finding of Facts, Conclusions of Law and Order dated February 27,2009 is hereby affirmed. It is Furthered Ordered, Adjudged, and Decreed that the stay order entered by this Court on April 9, 2009, shall remain in full force and effect until the earlier of thirty (30) days from the date of this judgment or further order of this Court. So Ordered this 4th day of May, 2010. JEB/mj |


Clerk of Court

CC: File
JOHN DAVID LANDWEHR
LORETTA A SCHOUTEN
NANCI RAE WISDOM

Date Printed : 04-May-2010

BEFORE THE CIRCUIT COURT OF COLE COUNTY, MISSOURI

STEVEN J. RICHTER, DDS,)
 Petitioner,)
 vs.) Case No. 09AC-CC00154
MISSOURI DENTAL BOARD,)
 Respondent.)

JUDGMENT

The Court takes up the above styled cause for ruling. The parties have submitted their briefs and have waived oral argument. The Court being duly advised in the premises, rules as follows:

The Decision of the Respondent Missouri Dental Board revoking the license of the Petitioner is found to be (1) not in violation of constitutional provisions; (2) not in excess of its statutory authority or jurisdiction; (3) not to be unsupported by competent and substantial evidence upon the whole record; (4) nor any other reason, unauthorized by law; (5) not made upon unlawful procedure or without a fair trial; (6) arbitrary, capricious or unreasonable; and (7) not an abuse of discretion.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that the Decision of the Missouri Dental Board, set forth in its Findings of Fact, Conclusions of Law and Order dated February 27, 2009 is hereby affirmed.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the stay order entered by this Court on April 9, 2009, shall remain in full force and effect until the earlier of thirty (30) days from the date of this judgment or further order of this Court.

SO ORDERED this 4th day of May, 2010.



**BEFORE THE MISSOURI DENTAL BOARD
STATE OF MISSOURI**

| | | |
|----------------------------------|---|---------------------------|
| MISSOURI DENTAL BOARD, |) | |
| P.O. BOX 1367 |) | |
| 3605 MISSOURI BLVD. |) | |
| JEFFERSON CITY, MISSOURI 65102 |) | |
| PETITIONER, |) | |
| |) | |
| V. |) | CAUSE NO: DB-09-04 |
| |) | |
| STEVEN J. RICHTER, D.D.S. |) | |
| 116 WHITE TREE LANE |) | |
| BALLWIN, MO 63011 |) | |
| RESPONDENT. |) | |

FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER

On November 7, 2008, the Missouri Dental Board held a Hearing on the Notice of Hearing on Probation Violation in the above-styled cause. Said hearing was held at the Oasis Hotel, 2250 North Glenstone, in Springfield, Missouri, for the purpose of determining the truth of the allegations contained in the Statement of Charges filed with the Missouri Dental Board on October 10, 200, alleging that Steven J. Richter, D.D.S., had violated the terms of his discipline. The Missouri Dental Board was represented by Nanci R. Wisdom, Outside Counsel for the Missouri Dental Board. Respondent, Steven J. Richter, D.D.S., was present in person and without counsel. The Missouri Dental Board heard evidence on the allegations contained in the Statement of Charges and heard evidence offered in mitigation on said charges by Respondent, Steven J. Richter, D.D.S. Exhibits 1, 2, 3, 4, and A were admitted into evidence. At the conclusion of the hearing, the Missouri Dental Board, in closed session, determined the truthfulness of the allegations contained in the Statement of Charges and whether disciplinary action should be taken concerning the certificate and license of the Respondent.

FINDINGS OF FACT

1. Steven J. Richter, D.D.S. and the Missouri Dental Board entered a Waiver of Hearing, Joint Stipulation and Request for Consent Order before the Administrative Hearing Commission in the case Missouri Dental Board v. Steven J. Richter, D.D.S., Cause No. 04-1150 DB and the Administrative Hearing Commission entered a Consent Order, the same case was heard before the Missouri Dental Board on a Notice of Disciplinary Hearing on July 22, 2006. On September 22, 2006, the Missouri Dental Board issued its Findings of Fact, Conclusions of Law and Order.

2. By terms of Findings of Fact, Conclusions of Law and Order, the license and certificate of registration of Respondent, Steven J. Richter, D.D.S., was suspended for fourteen (14) days followed by probation for a period of five (5) years subject to certain conditions of probation among which was as follows:

a. Steven J. Richter, D.D.S. shall not violate any provisions of Chapter 332 RSMo or by whatever number the Dental Practices Act shall be known nor shall Steven J. Richter, D.D.S. violate any rule or regulation adopted or promulgated by the Missouri Dental Board pursuant thereto.

c. Steven J. Richter, D.D.S. shall keep the Missouri Dental Board apprised at all times, in writing, of his current work and home addresses and telephone numbers during the period of probation prescribed herein.

d. Steven J. Richter, D.D.S. shall take the continuing education course in ethics sponsored by the University of Missouri-Kansas City. 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 Steven J. Richter's D.D.S. disciplinary period. Steven J. Richter, D.D.S. 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.

e. Steven J. Richter, D.D.S. shall obtain sixty-eight (68) hours of continuing education from Missouri Dental Board approved sponsors. This continuing education shall be in addition to the continuing education required by law for licensure renewal by the Board. This continuing education must be taken within the first nine (9) months of Steven J. Richter's D.D.S. probation period. Steven J. Richter, D.D.S. shall provide the Board with proof of attendance from the sponsor of each program no later than thirty (30) days after attending each course. All continuing education must be obtained by actually sitting in a classroom. No internet, correspondence courses or other courses not requiring classroom time will be accepted. 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.

f. Steven J. Richter, D.D.S. shall take and pass the Board's designated jurisprudence examination within six (6) months of the start of the probation period. Steven J. Richter, D.D.S. 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 he desires to take the examination. Steven J. Richter D.D.S. shall submit the required re-examination fee to the Board prior to taking the examination. Failure to take and pass the examination during the disciplinary period shall constitute a violation of this Order.

4. Respondent, Steven J. Richter, D.D.S. began his discipline on September 20, 2007, when Respondent, Steven J. Richter, D.D.S. renewed his license.

5. The Findings of Fact, Conclusions of Law and Order issued by the Missouri Dental Board on September 22, 2006 states:

Pursuant to Section 332.321.6 RSMo, if Steven J. Richter, D.D.S. removes himself from the State of Missouri, ceases to be currently licensed or

fails to keep the Missouri Dental Board advised of his current place of residence or business, the time of his absence, or unlicensed status, or unknown whereabouts should not be deemed or taken as a part of the time of discipline so imposed.

6. That as of April 15, 2008 which is the date of six months after Respondent, Steven J. Richter, D.D.S., renewed his license, Respondent, Steven J. Richter, D.D.S., had not and as of October 10, 2008 still has not taken the jurisprudence examination.

7. Pursuant to the Findings of Fact, Conclusions of Law and Order issued by the Missouri Dental Board on September 22, 2006, Respondent, Steven J. Richter, D.D.S., is to keep the Missouri Dental Board apprised at all times of his current work and home addresses.

8. As of September 2007, Respondent, Steven J. Richter, D.D.S., listed on his renewal application that his home address was then 116 White Tree Lane, Ballwin, MO 63011.

9. Respondent, Steven J. Richter, D.D.S., filed an application for a specialty license with the Missouri Dental Board on March 10, 2008.

10. On the application for specialty license filed with the Missouri Dental Board on March 10, 2008, Respondent, Steven J. Richter, D.D.S., listed his home address as 2707 Park Avenue, St. Louis, MO 63104 and his work address as 9911 Kennerly, Suite E, St. Louis, MO 63128.

11. A review of the public records of the Missouri Bureau of Narcotics and Dangerous Drugs which is a part of the Missouri Department of Health and Senior Services (hereinafter "BNDD") revealed that Respondent, Steven J. Richter, D.D.S. had been issued a Missouri Controlled Substances Registration on April 15, 2008 for two

addresses, namely, 9911 Kennerly Road, Suite E, St. Louis, MO 63128 and 1155 East Gannon, Festus, MO 63028.

12. As of April 15, 2008 and as of the date of filing of this Statement of Charges, October 10, 2008, Respondent, Steven J. Richter, D.D.S., has not informed the Missouri Dental Board of his work address at 1155 East Gannon, Festus, MO 63028.

13. As of April 15, 2008 and as of the date of filing of this Statement of Charges, October 10, 2008, Respondent, Steven J. Richter, D.D.S., has not informed the Missouri Dental Board of his work address at 1155 East Gannon, Festus, MO 63028 or his work address at 9911 Kennerly Road, Suite E, St. Louis, MO 63128 by using the a written request of for change of address form with the Missouri Dental Board.

14. As of April 15, 2008 and as of the date of filing of this Statement of Charges, October 10, 2008, Respondent, Steven J. Richter, D.D.S., has not informed the Missouri Dental Board of his home address at 2707 Park Avenue, St. Louis, MO 63104 or by using the a written request of for change of address form with the Missouri Dental Board.

15. On March 10, 2008, the Missouri Dental Board received an application for a specialty license in the area of Oral and Maxillofacial Surgery.

16. This specialty application was notarized “under the penalties of perjury” that “all statements and enclosures are true and accurate to the best of (his) knowledge, information and belief.”

17. On the specialty application, Respondent, Steven J. Richter, D.D.S., represented that he was a Diplomate of the American Board of Oral and Maxillofacial Surgeons (hereinafter “ABOMS”) since March 1978.

28. As of the date of the specialty application and as of April 15, 2008, Respondent, Steven J. Richter, D.D.S., was not a Diplomate of ABOMS.

29. The Findings of Fact, Conclusions of Law, and Order issued in this matter on September 22, 2006, require Respondent, Steven J. Richter, D.D.S., to obey all statutes and rules pertaining to the Missouri Dental Board, namely Chapter 332 of the Revised Statutes of Missouri.

20. Section 332.321.2 RSMo reads in pertinent part that the Missouri Dental Board may seek to discipline a dental license for conduct which constitutes:

...(5) Incompetency, misconduct, gross negligence, fraud, misrepresentation or dishonesty in the performance of, or relating to one's ability to perform, the functions or duties of any profession licensed or regulated by this chapter;

...(13) Violation of any professional trust or confidence;

21. As a requirement of the Findings of Fact, Conclusions of Law and Order issued by the Missouri Dental Board on September 22, 2006, Respondent, Steven J. Richter, D.D.S., was to have taken the ethics course sponsored by the University of Missouri-Kansas City no later than September 19, 2008 and provide to the Missouri Dental Board proof of taking the same no later than thirty (30) days after attending the course.

22. As of October 10, 2008, the date of filing of this Statement of Charges, Respondent, Steven J. Richter, D.D.S., had not attended the ethics course nor provided proof of his attendance at the ethics course.

23. As a requirement of the Findings of Fact, Conclusions of Law and Order issued by the Missouri Dental Board on September 22, 2006, Respondent, Steven J.

Richter, D.D.S., was to have taken the sixty-eight (68) hours of continuing education no later than June 19, 2008 and provide to the Missouri Dental Board proof of taking the same no later than thirty (30) days after attending the each course.

24. As of October 10, 2008, the date of filing of this Statement of Charges, Respondent, Steven J. Richter, D.D.S., had not attended any of the sixty-eight (68) hours of continuing education nor provided proof of his attendance at any continuing education course.

25. The acts of Respondent, Steven J. Richter, D.D.S., as outlined herein violation Section 332.321.2 (5) and (13) RSMo.

CONCLUSIONS OF LAW

27. The Missouri Dental Board has jurisdiction to render discipline against the license and certificate of registration of Steven J. Richter, D.D.S. under the provisions of Chapter 332 and previous Order of the Missouri Dental Board entered as set forth herein. Section 621.110 RSMo and State Board of the Registration for the Healing Arts v. Masters, 512 S.W.2d 150 (Mo. App. 1974).

28. That the actions of Steven J. Richter, D.D.S. as stated in the Findings of Fact give grounds to the Missouri Dental Board to impose discipline, including revocation of Steven J. Richter's, D.D.S., license and certificate, suspension up to three years of said license and certificate, probation up to five years of said license and certificate, or a combination of suspension and probation. See Section 332.321.3 and Section 621.110 RSMo.

18. That the actions of Steven J. Richter, D.D.S. as set forth herein constitute violations of the terms of his probation.

DISCIPLINE

19. It is the Order of the Missouri Dental Board that the license and certificate of registration of Steven J. Richter, D.D.S., to practice dentistry in the State of Missouri is hereby revoked.

The provisions of this Order become effective fifteen days from the date of this Order.

IT IS SO ORDERED ON THIS 27th DAY OF February.
2009.

MISSOURI DENTAL BOARD

BY:



Brian Barnett, Executive Director

BEFORE THE MISSOURI DENTAL BOARD
STATE OF MISSOURI

MISSOURI DENTAL BOARD,)
)
 Petitioner)
)
 v.)
)
STEVEN J. RICHTER, D.D.S.)
)
 Respondent)

No.: DB 04 1150 DB

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

On July 22, 2006, 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 & Conference 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 Steven J. Richter, D.D.S. The Missouri Dental Board was represented by Nanci R. Wisdom, outside counsel for the Missouri Dental Board. Amy Braudis, Assistant Attorney General, advised the Board on legal matters. Respondent, Steven J. Richter, D.D.S., appeared in person and without counsel. The Board heard evidence on the issue of what, if any, disciplinary action should be taken against the certificate of registration and license of Steven J. Richter, D.D.S. The Board heard testimony from Steven J. Richter, D.D.S. and legal arguments from counsel. The Board accepted into evidence Petitioner's Exhibit 1 and incorporated into evidence the record of proceedings before the Administrative Hearing Commission in the case

Missouri Dental Board v. Steven J. Richter, D.D.S., Cause Number: 04 1150 DB. At the conclusion of the hearing, the Board went into closed session to make its determination.

FINDINGS OF FACT

1. The Missouri Dental Board is created by the provisions of chapter 332 RSMo, and has jurisdiction under the provisions of said chapter and Chapters 536 and 621 RSMo, to hear this case.

2. The Administrative Hearing Commission is an agency of the State of Missouri created and established pursuant to Section 621.105 RSMo (2000) for the purposes of conducting hearings and making findings of fact and conclusions of law in cases in which disciplinary action may be taken against the licensee by certain state agencies including the Missouri Dental Board.

3. Steven J. Richter, D.D.S., holds a registration and license number 2002001509. On April 12, 2006, the Administrative Hearing commission issued its Consent Order in the matter of Missouri Dental Board vs. Steven J. Richter, D.D.S., Cause No. 04 1150 DB finding that there exists cause for the Missouri Dental Board to discipline Steven J. Richter's, D.D.S. certificate of registration and license to practice dentistry under Section 332.321.2 (2), (3), (5), and (13) RSMo (2000).

CONCLUSIONS OF LAW

1. The Missouri Dental Board has jurisdiction to take disciplinary action against the license and certificate of registration of Steven J. Richter, D.D.S., pursuant to the provisions of Chapter 332, 536, and 621 RSMo.

2. Steven J. Richter's, D.D.S., certificate of registration and license number 2002001509 are subject to revocation, suspension or probation by the Missouri Dental Board pursuant to the Section 332.321.2 and 332.321.3 RSMo (2000).

ORDER

1. It is the Order of the Missouri Dental Board that the license and certificate of registration of Steven J. Richter, D.D.S. to practice dentistry in the State of Missouri is suspended for a period of fourteen (14) days beginning October 10, 2006 immediately followed by a period of five (5) years probation. Steven J. Richter's D.D.S. probation shall be subject to the following conditions:

- a. Steven J. Richter, D.D.S. shall not violate any provisions of Chapter 332 RSMo or by whatever number the Dental Practices Act shall be known nor shall Steven J. Richter, D.D.S. violate any rule or regulation adopted or promulgated by the Missouri Dental Board pursuant thereto.
- b. Steven J. Richter, D.D.S. shall cooperate with the Missouri Dental Board Investigator when he makes periodic visits to determine compliance with the probation terms.
- c. Steven J. Richter, D.D.S. shall keep the Missouri Dental Board apprised at all times, in writing, of his current work and home addresses and telephone numbers during the period of probation prescribed herein.
- d. Steven J. Richter, D.D.S. shall take the continuing education course in ethics sponsored by the University of Missouri-Kansas City. 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 Steven J. Richter's D.D.S. disciplinary period. Steven J. Richter, D.D.S. 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.

- e. Steven J. Richter, D.D.S. shall obtain sixty-eight (68) hours of continuing education from Missouri Dental Board approved sponsors. This continuing education shall be in addition to the continuing education required by law for licensure renewal by the Board. This continuing education must be taken within the first nine (9) months of Steven J. Richter's D.D.S. probation period. Steven J. Richter, D.D.S. shall provide the Board with proof of attendance from the sponsor of each program no later than thirty (30) days after attending each course. All continuing education must be obtained by actually sitting in a classroom. No internet, correspondence courses or other courses not requiring classroom time will be accepted. 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.
- f. Steven J. Richter, D.D.S. shall take and pass the Board's designated jurisprudence examination within six (6) months of the start of the probation period. Steven J. Richter, D.D.S. 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 he desires to take the examination.

Steven J. Richter, D.D.S. shall submit the required re-examination fee to the Board prior to taking the examination. Failure to take and pass the examination during the disciplinary period shall constitute a violation of this Order.

2. If the Missouri Dental Board, in its sole discretion, determines upon a proper showing that Steven J. Richter, D.D.S. violated a term or condition of his probation as set forth herein, or has otherwise failed to comply with the provisions of Chapter 332 RSMo (2000), which violation would be actionable in a proceeding before the Board as provided by 4 C.S.R. 110-2.160, before the Administrative Hearing Commission, or in a circuit court, the Missouri Dental Board may elect to pursue any lawful remedies or procedures afforded to it and is not bound by the type of, nor the duration of discipline specified in this document in its election of remedies concerning such violation.

3. Pursuant to the provisions of Section 332.321.6 RSMo (2000), if Steven J. Richter, D.D.S. removes himself from the State of Missouri, ceases to be currently licensed or fails to keep the Missouri Dental Board advised of his current place of residence or business, the time of his absence, or unlicensed status, or unknown whereabouts should not be deemed or taken as a part of the time of discipline so imposed.

The provisions of this Order become effective on the 22nd day of September, 2006.

MISSOURI DENTAL BOARD

BY: Sharlene Rimiller
Sharlene Rimiller
Executive Director

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

MISSOURI DENTAL BOARD,)
)
 Petitioner,)
)
v.)
)
STEVEN J. RICHTER, DDS,)
)
 Respondent.)

Case No. 04-1150DB

FILED
APR 12 2006
ADMINISTRATIVE HEARING
COMMISSION

**WAIVER OF HEARING, JOINT STIPULATION, AND
REQUEST FOR CONSENT ORDER**

COMES NOW Petitioner, Missouri Dental Board, by and through its attorney, Nanci R. Wisdom, and Respondent, Steven J. Richter, D.D.S., who is proceeding pro se, and pursuant to the provisions of 4 C.S.R. 20-2.130 and Missouri Revised Statutes Section 536.060 as applicable to this Commission by the provisions of Section 621.135 RSMo, and jointly state that the parties waive their right to a hearing before the Administrative Hearing Commission in the above-referenced cause, enter this Joint Stipulation consistent with the content of this document. In support of their motion, Petitioner, Missouri Dental Board, and Respondent, Steven J. Richter, D.D.S., hereby stipulate and agree to the following:

1. Respondent, Steven J. Richter, D.D.S. acknowledges that he is familiar with the various rights and privileges afforded by operation of law, including the right to a hearing on the charges against him; the right to appear and be represented by counsel; the right to have all charges against him proved 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 hearing; the right to a decision upon the record by a fair and impartial Administrative Hearing Commissioner concerning the charges pending against him; the right to appeal a decision in favor of the Petitioner, Missouri Dental Board, by the Administrative Hearing Commission on the basis if said decision is not supported by substantial and competent evidence. Being familiar with these and other attendant rights provided Respondent, Steven J. Richter, D.D.S., by operation of law, he knowingly and voluntarily waives each and every one of these rights and fully and freely enters into this "Waiver of Hearing, Joint Stipulation and Request for Consent Order" and consents and agrees to abide by the terms and conditions of this document.

2. Petitioner, Missouri Dental Board, is an agency of the State of Missouri created and established pursuant to Missouri Revised Statutes Section 332.021, as applicable to this matter for the purpose of administering and enforcing the provisions of Chapter 332, Dentistry.

3. Respondent, Steven J. Richter, D.D.S., is, and at all times relevant to this cause was, the holder of a current and valid license to practice dentistry and certificate of registration issued by Petitioner, Missouri Dental Board.

COUNT I

4. On or about December 13, 2003, Respondent entered a plea of nolo contendere to the charge of Assault, a Class C Misdemeanor.

5. Respondent entered the nolo contendere plea in the District Court of Johnson County, Kansas.

6. Missouri Revised Statute section 332.321.2 provides that the Missouri Dental Board has cause to discipline a dentist's license to practice in Missouri under the following circumstances:

. . . (2) The person has been finally adjudicated and found guilty, or entered a plea of guilty or nolo contendere, in a criminal prosecution under the laws of any state or of the United States, for any offense reasonably related to the qualifications, functions or duties of any profession licensed or regulated under this chapter, for any offense an essential element of which is fraud, dishonesty or an act of violence, or any offense involving moral turpitude, whether or not sentence is imposed;

7. That as a result of the foregoing, Respondent has failed to comply with Missouri Revised Statute section 332.321.2.(2), in that Respondent entered a plea of nolo contendere in a criminal prosecution in the state of ^{Kansas MAW SR} ~~Missouri~~ for an act of violence. _{57A.}

COUNT II

8. On or about February 25, 2004, Respondent entered a plea of guilty to the charge of passing a bad check, a felony.

9. Respondent entered the guilty plea in the District Court of Johnson County, Kansas.

10. Missouri Revised Statute section 332.321.2 provides that the Missouri Dental Board has cause to discipline a dentist's license to practice in Missouri under the following circumstances:

. . . (2) The person has been finally adjudicated and found guilty, or entered a plea of guilty or nolo contendere, in a criminal prosecution under the laws of any state or of the United States, for any offense reasonably related to the qualifications, functions or duties of any profession licensed or regulated under this chapter, for any offense an essential element of which is fraud, dishonesty or an act of violence, or any offense involving moral turpitude, whether or not sentence is imposed;

11. That as a result of the foregoing, Respondent has failed to comply with Missouri Revised Statute section 332.321.2.(2), in that Respondent entered a plea of guilty in a criminal prosecution in the State of ^{Kansas} ~~Missouri~~ ^{phw} for an offense an essential element of which is fraud and dishonesty. _{SJK}

COUNT III

12. On or about November 8, 2004, Respondent represented to the Missouri Dental Board that he had obtained 50 hours of continuing education in the reporting period December 1, 2002, to November 30, 2004.

13. When audited, Respondent produced proof of only 16 hours of continuing education obtained from board approved sponsors.

14. In relevant part 4 CSR 1102.240 states:

. . . (2) In order to renew a license, each dentist shall submit satisfactory evidence of completion of fifty (50) hours of continuing education during the two (2)-year period immediately preceding the renewal period . . .

. . . (B) The continuing dental education hours obtained shall be from a board-approved sponsor.

. . . (5) Violation of any provision of this rule shall be deemed by the Board to constitute misconduct, fraud, misrepresentation, dishonesty, unethical conduct or unprofessional, or any combination of these, in the performance of the functions, duties, or both, of a dentist or a dental hygienist, depending on the licensee's

conduct. In addition, a licensee who fails to complete and report in a timely fashion the required hours of continuing education and engages in the practice of dentistry or dental hygiene without the express written consent of the board shall be deemed to have engaged in the unauthorized practice of dentistry or dental hygiene.

15. In relevant part, 332.181 RSMo states:

... (4) Effective with the licensing period beginning on December 1, 2002, a license shall be renewed every two years. To renew a license, each dentist shall submit satisfactory evidence of completion of fifty hours of continuing education during the two-year period immediately preceding the renewal period. Each dentist shall maintain documentation of completion of the required continuing education hours as provided by rule. Failure to obtain the required continuing education hours, submit satisfactory evidence, or maintain documentation is a violation of section 332.321.

16. Missouri Revised Statutes 332.321.2 provides that the Missouri Dental

Board has cause to discipline a dentist's license to practice in Missouri under the following circumstances:

... (3) Use of fraud, deception, misrepresentation or bribery in securing any permit or license issued pursuant to this chapter or in obtaining permission to take any examination given or required pursuant to this chapter;

... (5) Incompetency, misconduct, gross negligence, fraud, misrepresentation or dishonesty in the performance of, or relating to one's ability to perform, the functions or duties of any profession licensed or regulated by this chapter;

... (6) Violation of, or assisting or enabling any person to violate, any provision of this chapter, or any lawful rule or regulation adopted pursuant to this chapter;

... (13) Violation of any professional trust or confidence.

17. That as a result of the foregoing, Respondent has failed to comply with

Missouri Revised Statute section 332.321.2.(3) and (5), in that Respondent used ~~fraud~~, ^{NLW} ~~deception~~, ^{SR} ~~and~~ misrepresentation in obtaining the renewal of his dental license, and in

^{SR} ^{NLW} ^{STP} performance of his professional duties.

18. That as a result of the foregoing, Respondent has failed to comply with Missouri Revised Statute Section 332.321.2(6), in that Respondent failed to submit satisfactory evidence of 50 continuing education hours taken between December 1, 2002, and November 30, 2004, that were provided by Board-approved sponsors, as required by 4 CSR 110-2.240 and Section 332.181 RSMo.

19. That as a result of the foregoing, Respondent has failed to comply with Missouri Revised Statute Section 332.321.2(13), in that Respondent violated a professional trust and confidence by his actions as outlined herein.

20. The parties agree and stipulate that Respondent's actions as outlined herein constitutes cause to discipline Respondent's dental license for violations of Section 332.321(2), (3), (5), (6), and (13).

21. Based on the foregoing, the parties mutually agree that this document will be filed with the Administrative Hearing Commission and that the parties request that the Administrative Hearing Commission issue its order finding cause for discipline of the license of Steven J. Richter, D.D.S. pursuant to the provisions of Section 332.321 RSMo as ~~alleged in the Amended Complaint heretofore filed~~ ^{stipulated and agreed to NAW SJR SR} in the above-styled cause and further referring this matter to the Missouri Dental Board for a formal disciplinary hearing.

22. The parties further agree that following the entry of the order of the Administrative Hearing Commission, the Missouri Dental Board will hold a hearing regarding discipline at which time Steven J. Richter, D.D.S. shall have the opportunity to offer evidence in mitigation. Respondent, Steven J. Richter, D.D.S., further agrees and

stipulates that no promises have been made to him regarding the nature or quantum of discipline which shall be imposed by the Missouri Dental Board following the disciplinary hearing and further agrees and stipulates that the Missouri Dental Board will have the entire range of discipline open to it as provided in Section 332.321 RSMo.

WHEREFORE, based upon the foregoing, the parties mutually request that the Administrative Hearing Commission issue a Consent Order embodying the terms and conditions of this "Waiver of Hearing, Joint Stipulation, and Request for Consent Order" in the above-styled cause, and that cause number 04-1150 DB be closed.



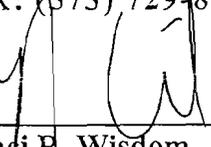
STEVEN J. RICHTER, DDS

Date: 7/11/06

Date: 04-11-06

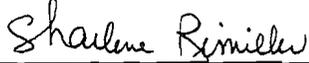
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Date

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Attorney for Petitioner

MISSOURI DENTAL BOARD

BY: 

SHARLENE RIMILLER,
EXECUTIVE DIRECTOR