

I.

Based upon the foregoing, the Board hereby states:

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. Keith D. Snitker currently resides at 1031 Saddle Tree Trail, Irving, Texas 75063.

3. On or about March 29, 2011, Snitker applied for licensure as a dentist. On his application, Snitker answered yes to the following question:

3. Have you ever had any professional license, certification, registration, revoked, suspended, or placed on probation, censured, reprimanded, fined or otherwise subject to any type of disciplinary action? If yes, attach a full explanation.

4. At the time of application, Snitker had an active license from the Texas State Board of Dental Examiners, a cancelled license from the Kansas Dental Board, and an expired dental license from the Illinois Division of Professional Registration.

5. Snitker attached a statement regarding his answers to question 3 on the application. Snitker stated that his Texas dental license was disciplined as a result of a patient complaint regarding billing and patient abandonment. Snitker stated in his explanation that he attempted to contact the patient and she never returned his contacts. Snitker also included a copy of his Agreed Settlement Order with the Texas State Board of Dental Examiners.

6. On or about August 20, 2010, Snitker entered into an Agreed Settlement Order with the Texas State Board of Dental Examiners as a result of failing to provide adequate follow-up care to a patient following placement of crowns on teeth numbers 19 and 30. The Board

issued Snitker the sanction of a Warning, ordered him to pay administrative monetary fines in the amount of \$1,000.00, ordered him to complete six hours of approved continuing education courses in addition to his annual continuing education requirements, ordered him to pay \$1,015.00 in restitution to the patient in question, and ordered him to take and pass the Texas jurisprudence assessment.

7. On or about October 21, 2010, the Texas State Board of Dental Examiners issued Snitker a letter stating he had fully complied with the terms and requirements of his Agreed Settlement Order. The letter also stated his license no longer had any limitations on it and the disciplinary action taken would be reflected in his record.

II.

CONCLUSIONS OF LAW

8. The Board has authority to deny or refuse a license application pursuant to § 332.321.1, RSMo 2000, which provides:

The board may refuse to issue any certificate of registration or authority, permit or license required pursuant to this chapter for one or any combination of causes stated in subsection 2 of this section. The board shall notify the applicant in writing of the reasons for the refusal and shall advise the applicant of his or her right to file a complaint with the administrative hearing commission as provided by chapter 621, RSMo.

9. The Board has cause to deny or refuse Snitker's application for a dental license pursuant to § 332.321.2 RSMo 2000, which provides:

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 certificate of registration or authority, permit or license required by this chapter or any person who has failed to renew or has surrendered the person's certificate of registration or authority, permit or license for any one or any combination of the following causes:

(8) Disciplinary action against the holder of a license or other right to practice any profession regulated by this chapter imposed

by another state, province, territory, federal agency or country upon grounds for which discipline is authorized in this state[.]

10. As a result of Snitker's disciplinary action against his license by the State of Texas, described in paragraphs v4 through 8 above, the Board has cause to deny or refuse Snitker's application for a dental license pursuant to § 332.321.1, RSMo, and § 332.321.2(8), RSMo.

11. As an alternative to refusing to issue a license, the Board may, at its discretion, issue a license subject to probation, pursuant to § 324.038.1, RSMo, which provides:

Whenever a board within or assigned to the division of professional registration, including the division itself when so empowered, 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.

12. The Board issues this Order in lieu of denial of Snitker's application for a dental license. The Board has determined that this Order is necessary to ensure the protection of the public.

III.

ORDER

Based on the foregoing, Keith D. Snitker, D.D.S. is granted a dental license, which is hereby placed on **PROBATION** for a period of one (1) year from the effective date of this Order, subject to the terms and conditions set forth below.

IV.

TERMS AND CONDITIONS

During the aforementioned probation, Snitker shall be entitled to present himself and serve as a licensed dentist subject to the following terms and conditions:

I. GENERAL REQUIREMENTS

- A. Licensee 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. Licensee shall submit reports to the Missouri Dental Board, P.O. Box 1367, Jefferson City, Missouri 65102, stating truthfully whether he 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. Licensee shall keep the Board apprised of his current home and work addresses and telephone numbers. Licensee shall inform the Board within ten days of any change of home or work address and home or work telephone number.
- D. Licensee 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, Licensee shall timely renew his license and timely pay all fees required for licensing and comply with all other board requirements necessary to maintain Licensee's license in a current and active state.
- F. If at any time during the disciplinary period, Licensee removes himself from the state of Missouri, ceases to be currently licensed under 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 § 332.321.6, RSMo.
- G. During the disciplinary period, Licensee 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 Licensee 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 imposition of the 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 Licensee not specifically mentioned in this document.
- J. Snitker shall not allow his license to lapse.

This Order does not bind the Board or restrict the remedies available to it concerning any violation by Respondent of the terms and conditions of this Order, Chapter 332, RSMo (as amended), or the regulations promulgated thereunder.

SO ORDERED, EFFECTIVE THIS 10TH DAY OF AUGUST, 2011.

MISSOURI DENTAL BOARD

A handwritten signature in cursive script, appearing to read "Brian Barnett", written over a horizontal line.

Brian Barnett, Executive Director