

BEFORE THE MISSOURI DENTAL BOARD

In the Matter of the Application of)
)
JENNIFER SUE THOMPSON, R.D.H.,)
)
Applicant.)

**ORDER OF THE MISSOURI DENTAL BOARD ISSUING A PROBATIONARY
DENTAL HYGIENIST LICENSE TO JENNIFER SUE THOMPSON, R.D.H.**

The Missouri Dental Board (“Board”) hereby issues its **ORDER** granting the **DENTAL HYGIENIST LICENSE** of Jennifer Sue Thompson (hereafter “Thompson”), License No. **2010027546** subject to **FIVE (5) YEARS PROBATION** under terms and conditions described below, pursuant to the provisions of § 324.038, RSMo. As set forth in § 324.038.2, RSMo, Thompson may submit a written request to the Administrative Hearing Commission seeking a hearing and review of the Board’s decision to issue a probated license. Such written request must be filed with the Administrative Hearing Commission within 30 days of delivery or mailing of this Order of the Board. The written request should be addressed to the Administrative Hearing Commission, P.O. Box 1557, Truman State Office Building, Room 640, Jefferson City, MO 65102-1557. If no written request for review is filed with the Administrative Hearing Commission within the 30-day period, the right to seek review of the Board’s decision shall be considered waived. Should Thompson file a written request for review of this Order, the terms and conditions of this Order shall remain in force and effect unless or until such time as the Administrative Hearing Commission issues an Order to the contrary.

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. Jennifer Sue Thompson currently resides at Post Office Box 355, 37310 Highway 72, Salem, Missouri 65560.
3. Thompson’s social security number is xxx-xx-7459.
4. On or about May 3, 2010, Thompson applied for licensure as a dental hygienist.

On her application, Thompson answered yes to the following questions:

- a. 6. Have you ever been convicted, adjudged guilty by a court, pled guilty or pled nolo contendere to any crime whether or not sentence was imposed, or are such actions currently pending (excluding traffic violations)? **If yes, attach a full explanation and provide certified court documents (i.e. Docket Sheet, information or indictment, and final disposition).**
 - b. 7. Have you ever been convicted, adjudged guilty by a court, pled guilty or pled nolo contendere to any traffic offense resulting from or related to the use of drugs or alcohol, whether or not sentence was imposed, or are such actions currently pending? **If yes, attach a full explanation and provide certified court documents (i.e. Docket Sheet, information or indictment, and final disposition).**
5. With her application, Thompson provided court records, two letters of recommendation from dentists with whom she worked as a dental assistant while completing her dental hygiene degree, and a letter. The letter sought to “explain the court documents.” Thompson stated that she “made very poor decisions” at that time in her life. She stated she was using drugs and alcohol heavily and associating with individuals with whom she used drugs and

alcohol, including methamphetamine. The letter also stated that she graduated second in her class from dental hygiene school and explained why she wanted to be a hygienist.

6. The court records associated with Thompson reveal:
 - a. Thompson pled guilty to driving while intoxicated in the Circuit Court of Dent County, Municipal Division on September 5, 1997. The Court sentenced Thompson to two years unsupervised probation and court costs. The Court released Thompson from probation on February 6, 1998.
 - b. Thompson pled guilty to operating a motor vehicle on the highway with a revoked license, a class A misdemeanor, in the Circuit Court of Phelps County on December 14, 1999 in case number 25R03990986. Thompson was sentenced to two days in jail.
 - c. Thompson pled guilty to operating a motor vehicle on the highway with a revoked license, a class A misdemeanor, in the Circuit Court of Phelps County on December 14, 1999 in case number 25R03991248M. Thompson was sentenced to two days in jail.
 - d. Thompson pled guilty to delivery or possession of a controlled substance at a county/private jail except with a written prescription, a class C felony in the Circuit Court of Phelps County on March 3, 2003. Thompson took a xanax tablet with her when reporting for weekend jail time to be able to sleep while in jail. The Court sentenced Thompson to seven years in Department of Corrections, suspended execution of sentence, and ordered five years probation, completion of a substance abuse evaluation and treatment as directed and eighty hours community service. On October 23, 2006, Thompson asked to be released from

probation, to withdraw her guilty plea and have the case dismissed. The Court granted Thompson's requests.

7. On or about June 17, 2010, Thompson sent a detailed letter to the Board regarding her past, the criminal convictions and arrests described in paragraph 6 above, her education for dental hygiene and current situation. Thompson accurately represented the criminal matters described in paragraph 6 above in her June 17, 2010 letter. She stated she has been off of drugs for ten years and does not associate with the individuals with whom she made the choices resulting in her criminal convictions and arrests.

8. Thompson appeared before the Board at its July 2010 meeting. Thompson's testimony at the Board meeting was consistent with her application, letters and the court documents.

II.

CONCLUSIONS OF LAW

9. 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.

10. The Board has cause to deny or refuse Thompson's application for a dental hygienist 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:

...

(2) The person has been finally adjudicated and found guilty, or entered a plea of guilty or nolo contendere, in a criminal prosecution pursuant to 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 pursuant to this chapter, for any offense an essential element of which is fraud, dishonesty or an act or violence, or any offense involving moral turpitude, whether or not sentence is imposed[.]

11. As a result of Thompson's pleas of guilty as described above in paragraph 6, the Board has cause to deny or refuse Thompson's application for a dental hygienist license pursuant to § 332.321.1, RSMo, and § 332.321.2 (2), RSMo.

12. 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.

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

III.

ORDER

Based on the foregoing, Jennifer Sue Thompson is granted a dental hygienist license, which is hereby placed on **PROBATION** for a period of five (5) years from the effective date of this Order, subject to the terms and conditions set forth below.

IV.

TERMS AND CONDITIONS

During the aforementioned probation, Thompson shall be entitled to present herself and serve as a licensed dental hygienist 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 her 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 her 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 herself 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.

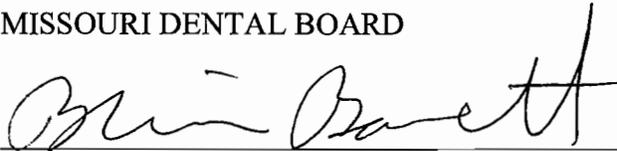
II. ADDITIONAL REQUIREMENTS

- A. Licensee shall attend and complete a Board approved chemical dependency evaluation. Licensee shall be responsible for securing an appropriate entity to complete the evaluation and obtaining the Board's approval for that entity prior to completing the entity's evaluation program. Licensee shall arrange with the approved evaluation entity to complete the evaluation within the first eight weeks of this Order. Licensee shall follow all recommendations of the entity with regards to counseling, evaluations, any treatment deemed necessary by an evaluation, and any follow-up care. Failure to complete the evaluation and follow all recommendations shall constitute a violation of this Agreement. A copy of the completed evaluation will be due, in the Board's office, within 30 days of the date of the evaluation.
- B. 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 follow all recommendations of the Committee or the Committee Administrator with regards to counseling, evaluations, any treatment deemed necessary by an evaluation, and any follow-up care. Failure to participate in the Well-Being Committee shall constitute a violation of this Agreement.
- C. Licensee shall not allow her license to lapse.
- D. 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, or any drug whatsoever in a drug screen for which Licensee does not hold a valid prescription shall constitute a violation of this Agreement.

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 6th DAY OF AUGUST, 2010.

MISSOURI DENTAL BOARD

A handwritten signature in cursive script, reading "Brian Barnett", is written over a horizontal line.

Brian Barnett, Executive Director