

BEFORE THE MISSOURI DENTAL BOARD

MISSOURI DENTAL BOARD)	
)	
Petitioner,)	
)	
v.)	No. 12-0909 DB
)	
)	
KENNETH P. WEBB, D.M.D.)	
)	
Respondent.)	

ORDER OF THE MISSOURI DENTAL BOARD
DISCIPLINING THE DENTAL LICENSE OF
KENNETH P. WEBB, D.M.D.

On or about December 11, 2013, the Administrative Hearing Commission entered its Decision in the case of *Missouri Dental Board v. Kenneth P. Webb, D.M.D.*, Case No. 12-0909 DB. In that Decision, based upon the parties' Joint Motion for Consent Order, Joint Stipulation of Facts and Conclusions of Law, and Waiver of Hearing, the Administrative Hearing Commission found that Respondent Kenneth P. Webb, D.M.D.'s dental license (license # 2010010050) is subject to disciplinary action by the Board pursuant to § 332.321.2(11), RSMo¹.

The Board has received and reviewed the record of the proceedings before the Administrative Hearing Commission and the Decision of the Administrative Hearing Commission. The record of the Administrative Hearing Commission is incorporated herein by reference in its entirety.

Pursuant to notice and §§ 621.110 and 332.321.3, RSMo, the Board held a hearing on April 24, 2014, at approximately 10:45 a.m., at the Missouri Council for School Administrators, 3550 Amazonas Drive, Jefferson City, Missouri, for the purpose of determining the appropriate disciplinary action against Respondent's license. The Board was represented by Legal Counsel

¹ All statutory references are to Missouri Revised Statutes 2000, as amended, unless otherwise indicated.

Scott Evans. Respondent appeared in person and by counsel, Audrey Hanson McIntosh, Audrey Hanson McIntosh, LLC. After being present and considering all of the evidence presented during the hearing, the Board issues the following Findings of Facts, Conclusions of Law and Order.

I.

Based upon the foregoing the Board hereby states:

FINDINGS OF FACT AND CONCLUSIONS OF LAW

1. The Board is an agency of the state of Missouri created and established pursuant to § 332.021, RSMo, for the purpose of licensing all persons engaged in the practice of dentistry in this state. The Board has control and supervision of the licensed occupations and enforcement of the terms and provisions of Chapter 332, RSMo.

2. Kenneth P. Webb, D.M.D. holds license number 2010010050 which the Board issued on March 26, 2010. Licensee's license expired on November 30, 2012 due to non-renewal.

3. The Board hereby adopts and incorporates by reference the findings of fact contained in the Decision and record of the Administrative Hearing Commission in *Missouri Dental Board v. Kenneth P. Webb, D.M.D.*, Case No. 12-0909 DB, in its entirety.

4. The Board set this matter for disciplinary hearing and served notice of the disciplinary hearing upon Respondent in a proper and timely fashion.

II.

CONCLUSIONS OF LAW

5. This Board has jurisdiction over this proceeding pursuant to §§ 621.110 and 332.321.3, RSMo.

6. The Board expressly adopts and incorporates by reference the conclusions of law contained in the Decision issued by the Administrative Hearing Commission on December 11, 2013 and the record of the Administrative Hearing Commission in *Missouri Dental Board v. Kenneth P. Webb, D.M.D.*, Case No. 12-0909 DB, and hereby enters its Conclusions of Law consistent therewith.

7. As a result of the foregoing, and in accordance with the Administrative Hearing Commission's Decision dated December 11, 2013, Respondent's dental license is subject to disciplinary action by the Board pursuant to § 332.321.2(11), RSMo.

8. The Board has determined that this Order is necessary to ensure the protection of the public.

III.

ORDER

Having fully considered all the evidence before the Board, and giving full weight to the Decision of the Administrative Hearing Commission, it is the **ORDER** of the Board that **UPON THE RENEWAL OF** the dental license of Kenneth P. Webb, D.M.D., (license no. 2010010050), the license is hereby placed on **PROBATION** for a period of **THREE (3) years**. The period of probation shall toll until such time as Kenneth P. Webb, D.M.D. holds a current and active license. During the aforementioned probation, Kenneth P. Webb, D.M.D. shall be entitled to practice as a licensed dentist subject to the following terms and conditions.

IV.

TERMS AND CONDITIONS

During the aforementioned probation, Kenneth P. Webb, D.M.D. ("Licensee") shall be entitled to perform as a dentist subject to the following terms and conditions:

I. SPECIFIC REQUIREMENTS

- A. Licensee shall renew his dental license, license number 2010010050 and complete all requirements for renewal as set forth in § 332.181, RSMo, and 20 CSR 2110-2.071(8). Licensee's probation shall toll until such time as Licensee meets all renewal requirements and holds a current and active license. The continuing education hours are in addition to those required hours for the 2014 renewal of Licensee's dental license.
- B. Licensee shall not engage in the solo practice of dentistry.
- C. 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 set for the jurisprudence examination no less than thirty (3) 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 the terms of discipline.

II. 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 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.
- C. 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.
- D. 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.
- E. 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 his current place of business and residence, the time of his 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.

- F. During the disciplinary period, Licensee shall accept and comply with unannounced visits from the Board's representatives to monitor his compliance with the terms and conditions of this Order.
- G. 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).
- H. 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.

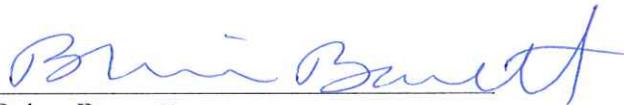
III. ADDITIONAL REQUIREMENTS

- A. Licensee shall not allow his license to lapse.
- B. Licensee 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 Licensee practices or has privileges of Licensee's disciplinary status. Notification shall be in writing and Licensee 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.

This Order will be maintained as an open record of the Board as provided in Chapters 332, 610, and 324, RSMo.

SO ORDERED this 2nd day of May, 2014.

MISSOURI DENTAL BOARD



**Brian Barnett,
Executive Director**