

BEFORE THE KANSAS DENTAL BOARD

In The Matter Of)
) Case No 14-29
Mark F. Adams, DMD)
_____)

FILED

SEP 08 2014

KANSAS DENTAL BOARD

AGENCY ORDER

Mark F. Adams, DMD (“Adams) has submitted an application to the Kansas Dental Board (the “Board”) for a license to practice dentistry in the State of Kansas (the “Application”). After considering the Application, matters contained in the Board’s files, the results of an investigation and other matters brought to the Board’s attention, the Board’s Investigation Member enters the following agency order.

I. FINDINGS OF FACT

1. On May 18, 2014 the Board received Adams’ Application for a license to practice dentistry in the State of Kansas.

2. On February 26, 2004, a Commissioner of the Administrative Hearing Commission for the State of Missouri entered a Decision in a matter captioned *Missouri Dental Board v. Mark Adams*, Case No. 03-2048 DB. As part of the Decision, the Commissioner made findings that Adams:

- A. On eight occasions between August 7, 2001 and October 7, 2001 prescribed Stadol, a Schedule IV substance, for himself;
- B. failed to maintain controlled substances in a secure, locked cabinet;
- C. failed to maintain an initial and annual inventory for controlled substances stored and dispensed in his practice;
- D. failed to record all patient information when he administered or prescribed a controlled substance;

E. failed to maintain controlled substance receipt records separately from prescribing records; and

F. failed to maintain records of prescribing and administering controlled substances.

(the "Commission Findings").

3. On May 3, 2004, the Missouri Dental Board, based upon the Commission Findings, issued a document titled Findings of Fact, Conclusions of Law and Disciplinary Order in a matter captioned Missouri Dental Board v. Mark Adams, Case No. 03-2048 DB, which revoked Adams' Missouri license to practice dentistry.

4. On February 6, 2008 the Missouri Dental Board, acting on an application submitted by Adams on May 24, 2007, granted him a new license to practice dentistry in the State of Missouri, subject to three (3) years probation.

II. CONCLUSIONS OF LAW AND FACT

1. Pursuant to K.S.A. 65-1436 (a) the Board may refuse to issue a license to practice dentistry in the State of Kansas if the applicant has had a license to practice dentistry revoked or has had a license to practice dentistry disciplined by the proper licensing authority of another state.

2. The actions taken by the Missouri Dental Board, as described above, are sufficient grounds, pursuant to K.S.A. 65-1436 (a)(18), to deny the Application.

III. ORDER

Based upon the foregoing, the application of Adams for a license to practice dentistry in the State of Kansas is denied.

IV. NOTICES

Adams is hereby notified as follows:

1. Adams may request a hearing pursuant to the Kansas Administrative Procedures Act by filing a written request with the Kansas Dental Board at 900 S.W. Jackson St., Room 564-S, Topeka, Kansas 66612 within fifteen (15) day of the date of service of this order.

2. If a hearing is not requested as described above, the order denying Adams' application for a license to practice dentistry in the State of Kansas shall become a final order of the Board, effective upon the expiration of the time to request a hearing.

3. Within fifteen (15) days after entry of a final agency order, either party may file a petition for reconsideration pursuant to K.S.A. 77-529.

4. Within the time limits established in K.S.A. 77-613, either party may seek judicial review of a final agency order, pursuant to said statute. The agency officer designated to receive service of a petition for judicial review is:

B. Lane Hemsley
Executive Director
Kansas Dental Board
900 S.W. Jackson Street, Room 564-S
Topeka, KS 66612

IT IS SO ORDERED.

Date

9/4/14



GLENN HEMBERGER, D.D.S.
Investigation Member
Kansas Dental Board

CERTIFICATE OF SERVICE

I hereby certify that I did, on the 8th day of September, 2014, deposit in the United States mail, postage prepaid, certified return receipt requested, a copy of the foregoing AGENCY ORDER, properly addressed to the following:

Mark F. Adams, DMD
1253 West Highway 62
Charleston, MO 63834



B. Lane Hemsley
Executive Director
Kansas Dental Board