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KANSAS DENTAL BOARD

BEFORE THE KANSAS DENTAL BOARD

In the Matter Of)
)
Robert M. Wood, D.D.S.)
License No. 6079)

Case No. 06-95

AGENCY ORDER

Robert M. Wood, D.D.S. ("Wood") has a Level II Anesthesia Permit, identified as Permit Number II-016, which was issued by the Kansas Dental Board (the "Board") on June 24, 2005. After considering the 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. The Board previously issued Wood License Number 6079, which entitled him to practice dentistry in the State of Kansas.
2. On June 24, 2005, the Board issued Wood a Level II Anesthesia Permit, identified as Permit Number II-016.
3. On or about August 9, 2006, an incident occurred whereby controlled substances from Wood's office were located at the residence of a deceased individual (the "Incident").
4. As a result of the Incident, on or about August 14, 2006, the Drug Enforcement Agency ("DEA") performed an investigation of Wood's inventory and record-keeping of controlled substances. The DEA determined that Wood failed to maintain an adequate controlled substances inventory, maintain adequate records, and properly safeguard and protect controlled substances in his possession.
5. As a result of the DEA's investigation into Wood's inventory and record-keeping of controlled substances, Wood voluntarily surrendered his DEA registration, number

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BW3339783. Wood's controlled substances were subsequently relinquished or destroyed by the DEA.

6. With the surrender of his DEA registration, Wood was prohibited from ordering, prescribing, or administering any controlled substances.

7. Following the DEA's investigation that occurred on or about August 14, 2006, the Board received a complaint from DEA Investigator Martin Redd (the "Complaint").

8. By letter dated October 10, 2006, Wood informed the Board that he did "not have controlled medications in [his] office" nor did he "subscribe [sic] medications."

9. On or about November 1, 2006, the DEA performed another inspection of Wood's office due to a new DEA application that he submitted. The DEA found that Wood continued to possess and dispense controlled substances, despite having voluntarily surrendered his DEA registration on or about August 14, 2006.

10. The DEA also found that Lortab had been dispensed and not properly recorded in a patient's chart.

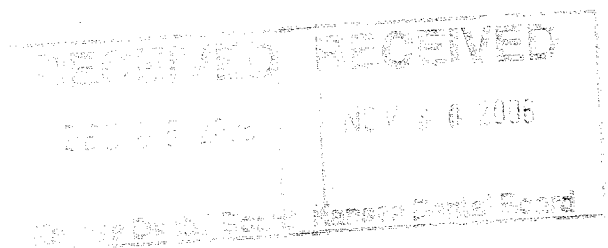
11. An investigation of the Complaint has been conducted, and as a result, the Board's Investigation Member has determined that probable cause exists to conclude that:

A. At the time of the Incident, Wood failed to maintain an adequate controlled substances inventory;

B. At the time of the Incident, Wood failed to maintain adequate records;

C. At the time of the Incident, Wood failed to properly safeguard and protect controlled substances in his possession;

D. After voluntarily surrendering his DEA registration, Wood continued to possess and dispense controlled substances;



E. After voluntarily surrendering his DEA registration, Wood failed to maintain adequate records; and

F. Wood falsely advised a Board representative that he did not have controlled substances in his dental office since surrendering his DEA registration and that he had not prescribed controlled substances since surrendering his DEA registration.

II. CONCLUSIONS OF LAW AND FACT

12. The Board's regulations provide that a Level II Anesthesia Permit can be revoked, suspended or limited if it can be established that the permit holder has engaged in negligent or dangerous conduct. K.A.R. 71-5-6(a)(2).

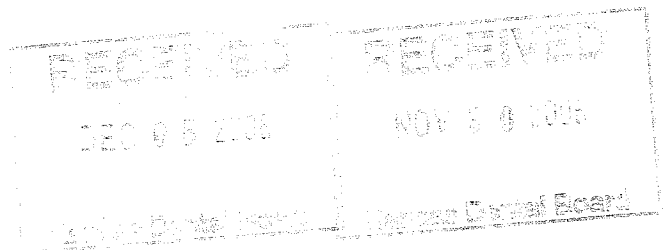
13. The conduct described in paragraph 11 above would constitute negligent and dangerous conduct.

III. ORDER

Based upon the foregoing, Wood's Level II Permit, identified as Permit Number II-016, is hereby suspended until further order of the Board.

Wood may request a hearing pursuant to the Kansas Administrative Procedures Act, K.S.A. 77-501 *et seq.*, by filing a written request with the Kansas Dental Board at 900 S.W. Jackson Street, Room 564-S, Topeka, Kansas 66612, within fifteen (15) days of the date of service of this order. Pursuant to K.S.A. 77-537, this decision, which is called a Summary Order, is subject to Wood's request for a hearing.

If a hearing is not requested as described above, the order suspending Wood's Level II Permit shall become a final order of the Board, effective upon the expiration of the time to request a hearing.




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.

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:

Betty Wright
Executive Director
Kansas Dental Board
900 S.W. Jackson Street, Room 564-S
Topeka, Kansas 66612

IT IS SO ORDERED.

12-4-2006
DATE



ROBERT HENSON, D.D.S.
Investigation Member
Kansas Dental Board

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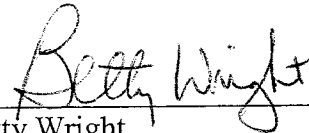
CERTIFICATE OF SERVICE

I hereby certify that I did, on the 11 day of December, 2006, deposit in the United States mail, first class postage prepaid, a copy of this **AGENCY ORDER**, properly addressed to the following:

Randall J. Forbes, Esq.
555 South Kansas Avenue, Suite 303
Topeka, Kansas 66603

and mailed one (1) copy first class mail and one (1) copy certified, return receipt requested to:

Robert M. Wood, D.D.S.
2445 SW Wanamaker Road
Topeka, Kansas 66614



Betty Wright
Executive Director
Kansas Dental Board

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