

FILED
SEP 20 2007
KANSAS DENTAL BOARD

BEFORE THE KANSAS DENTAL BOARD

In The Matter Of)
) Case No. 07-119
RYAN D. LOUDEN, DMD)
LICENSE NO. 60014)

EMERGENCY AGENCY ORDER

Ryan D. Louden, DMD (the "Respondent") is currently authorized to practice dentistry in the State of Kansas by reason of the Kansas Dental Board (the "Board") having issued him License No. 60014.

It has come to the attention of the Board's Investigation Member that the Respondent has committed the following acts:

1. On July 20, 2007, Respondent prescribed Hydrocodone (Vicodin) 30 for a five-year-old child J.P., who was the child of D.P., a woman with whom the Respondent reportedly had a romantic relationship. Prescribing this drug for a five-year-old child is below the applicable standard of care and was potentially impairing to the health and safety of the child. Although the Respondent's records indicate the Hydrocodone was for J.P., Respondent wrote the prescription fraudulently naming the boy's father as the patient. The boy's father was not and never had been a patient of Respondent.

2. Records from various pharmacies indicate that Respondent has written the following prescriptions for D.P.:

- 12/15/06 Diazepam – valium 5
- 12/15/06 Hydrocodone 20
- 5/18/07 Oxycodone (Lortab) 20
- 7/11/07 Oxycodone (Percocet) 20

7/14/07	Oxycodone 20
7/16/07	Hydrocodone 20
7/18/07	Oxycodone (Percocet) 20
7/20/07	Hydrocodone 20

During July of 2007, Respondent prescribed an excessive amount of controlled substances to D.P. and failed to record the amounts prescribed in the patient's record.

3. Records from pharmacies in the city in which Respondent practices indicate that Respondent has written the following prescriptions for himself:

12/3/06	Hydrocodone (Lortab) 20
11/27/06	Chlordiazepoxide (Librium) 10
3/3/07	Chlordiazepoxide (Librium) 10
3/7/07	Chlordiazepoxide (Librium) 10
4/6/07	Chlordiazepoxide (Librium) 10
4/26/07	Chlordiazepoxide (Librium) 10
5/28/07	Chlordiazepoxide (Librium) 10
7/8/07	Hydrocodone (Vicodin) 20

By self-prescribing Chloradiazepoxide, Respondent was prescribing outside the scope of the practice of dentistry.

4. On July 30, 2007, at approximately 6:30 PM, police officers attempted to discuss with Respondent the prescription Respondent had written for J.P. The police reported that Respondent appeared extremely intoxicated and slurred his words. The police have reported that they have had multiple contacts with Respondent during which he appeared intoxicated.

5. On September 10, 2007, police officers reported to Respondent's dental office to perform a welfare check on Respondent at the request of D.P., a woman with whom the Respondent reportedly had a romantic relationship. The police reported that the front of Respondent's dental office contained a strong odor of Nitrous Oxide and Respondent was found sitting in a chair in a patient booth with the nose piece for Nitrous Oxide on his face. The police

also reported that a bottle of vodka, which was approximately $\frac{3}{4}$ empty, was on Respondent's desk in the rear of Respondent's dental office and Respondent appeared to be intoxicated.

6. On September 12, 2007, at approximately 9:30 p.m., police officers reported to Respondent's dental office to perform another welfare check on Respondent at the request of D.P., a woman with whom the Respondent reportedly had a romantic relationship. The police reported that Respondent's dental office contained a strong odor of Nitrous Oxide and Respondent was found sitting in a chair with the nose piece for Nitrous Oxide on his nose. The police also located a four pack of Salvador's original margarita alcoholic beverages and discovered that three of the beverages were open. The police further reported that Respondent initially appeared to be unconscious, but when police officers called his name, Respondent stood and appeared to be intoxicated. When police officers began to place handcuffs on him, Respondent took a drink out of a bottle of margarita. When police officers conducted field sobriety tests, they determined, based on their training and expertise, that there was at least a 65% probability that Respondent was impaired.

After considering the foregoing, the Board's Investigation Member, in accordance with the authority granted to him by the Board, enters the following emergency agency order, pursuant to K.S.A. 77-536 and K.S.A. 65-1449.

I. FINDINGS OF FACT

For purposes of this order, the Board's Investigation Member makes the following findings of fact:

1. The Board has previously issued Respondent license number 60014, which entitled him to practice dentistry in the State of Kansas ("Respondent's License").

2. Respondent has prescribed controlled substances in a fraudulent manner and in a manner that was potentially impairing to the health and safety of a five-year-old patient.

3. The Respondent prescribed excessive amounts of controlled substances to a patient with whom he reportedly had a romantic relationship.

4. The Respondent has self-prescribed drugs that were beyond the scope of the practice of dentistry.

5. The Respondent has had multiple contacts with law enforcement officers in which the officers reported that Respondent appeared to be significantly intoxicated.

6. The Respondent has habitually used intoxicants and drugs which have rendered the Respondent unfit for the practice of dentistry.

7. The Respondent has acted in a professionally incompetent manner.

II. CONCLUSIONS OF LAW AND FACT

For purposes of this order, the Board's Investigation Member makes the following conclusions of law and fact:

1. Respondent's continuation in the practice of dentistry would constitute an immediate danger to the public health and safety or welfare. The least restrictive way to prevent or avoid the immediate danger Respondent poses to the public health, safety and welfare is to suspend Respondent's License.

2. There is cause to believe the acts committed by Respondent could form the basis for discipline of Respondent's License, including revocation or suspension, pursuant to various provisions of the Dental Act, including K.S.A. 65-1436 (a)(1), (2), (3), and (10).

III. EMERGENCY ORDER

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Pursuant to K.S.A. 77-536 and K.S.A. 65-1449, and based upon the foregoing findings and conclusions, Respondent's License is hereby suspended until further order of the Board, effective immediately.

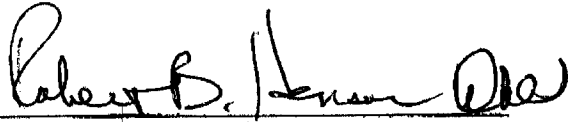
Within fifteen (15) days after service of this Emergency Agency Order, either party may file a petition for reconsideration pursuant to K.S.A. 77-529.

Within the time limits established in K.S.A. 77-613, either party may seek judicial review of this Emergency 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 SW Jackson, Room 564-S
Topeka, KS 66612

IT IS SO ORDERED.

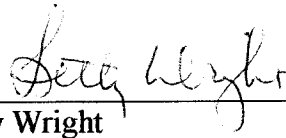
9-20-07
Date


Robert Henson, DDS
Investigation Member
Kansas Dental Board

CERTIFICATE OF SERVICE

I hereby certify that I did, on the 26th day of September, 2007, deposit in the United States mail, postage prepaid, a copy of the foregoing EMERGENCY AGENCY ORDER, properly addressed to the following:

Ryan Loudon, DMD
113 South Main
Ulysses, KS 67880



Betty Wright
Executive Director
Kansas Dental Board