

BEFORE THE KANSAS DENTAL BOARD

*In The Matter Of* )  
 ) Case No. 20-7  
MICHAEL PUTNAM, DDS )  
LICENSE NO. 5899 )



**EMERGENCY AGENCY ORDER**

Michael Putnam, DDS (“Respondent”) is currently authorized to practice dentistry in the State of Kansas by reason of the Kansas Dental Board (“Board”) having issued him License No. 5899 subject to restrictions imposed by an Emergency Agency Order issued March 17, 2021.

The following facts related to the Respondent’s practice of dentistry in the State of Kansas has come to the attention of the Board’s Investigation Committee:

1. On December 14, 2020, pursuant to K.S.A. 77-536 and K.S.A. 65-1449, an Emergency Agency Order was issued by the Kansas Dental Board which limited Respondent’s license and prohibited him from performing any tooth extraction.
2. On March 10, 2021, Patient MS presented to Respondent and a tooth extraction was performed by Respondent in direct violation of the December 14, 2020 Emergency Agency Order.
3. On March 17, 2021, pursuant to K.S.A. 77-536 and K.S.A. 65-1449, an Emergency Agency Order was issued by the Kansas Dental Board which limited Respondent’s License and prohibited him from performing any tooth extraction.
4. On March 19, 2021, an Amended Petition for Disciplinary Action was filed by Disciplinary Counsel for the Board.
5. On April 1, 2021, the Board received a Request for Reconsideration of the March 17, 2021 Emergency Agency Order.

6. On April 19, 2021, the Investigation Committee of the Board carefully considered Respondent's Request for Reconsideration and denied the same.

7. Pursuant to K.S.A. 65-1449, the Emergency Agency Order extended up to ninety (90) days or until June 15, 2021.

8. On April 23, 2021, the Board conducted a Hearing on the Amended Petition for Disciplinary Action and the Respondent admitted to violating the December 14, 2020 Emergency Agency Order. At the conclusion of the Hearing, the Board unanimously voted to revoke Respondent's dental license. The Presiding Officer has yet to finalize the written final order.

9. On May 19, 2021, Patient JT presented to Respondent for a tooth extraction which was performed by Respondent in direct violation of the Emergency Agency Order dated March 17, 2021.

10. Patient JT reported the Respondent begged him not to report the fact he extracted his tooth because he was being watched and was not supposed to be practicing.

11. Respondent's repeated disregard for the Board's Orders constitutes an immediate danger to the public health and safety or welfare.

After considering the foregoing, the Board's Investigation Committee, in accordance with the authority granted to it 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 Committee makes the following findings of fact:

1. The Board has previously issued Respondent license number 5899, which entitles him to practice dentistry in the State of Kansas (“Respondent’s License”).

2. The Board’s Investigation Committee incorporates paragraphs 1 through 11 set out above as its findings of fact.

3. The Board’s Investigation Committee finds probable cause exists that the Respondent disregarded and directly violated the restrictions contained in the March 17, 2021 Emergency Agency Order in violation of the Kansas Dental Practice Act.

## **II. CONCLUSIONS OF LAW AND FACT**

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

1. Respondent’s continued practice of dentistry would constitute an immediate danger to the public health and safety or welfare. The least restrictive way to prevent or avoid that immediate danger is to revoke Respondent’s License to prohibit him from practicing dentistry.

2. There is cause to believe the acts and violations committed by Respondent as detailed in the Committee’s findings of fact would 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)(4), (a)(5), (a)(6) and (a)(15).

## **III. EMERGENCY ORDER**

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 revoked to prohibit him from practicing dentistry until further order of the Board.

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:

B. Lane Hemsley  
Executive Director  
Kansas Dental Board  
900 SW Jackson, Room 455-S  
Topeka, KS 66612

IT IS SO ORDERED.

May 27, 2021

Date



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Mark Herzog, DDS, Chairman  
Investigation Committee of the  
Kansas Dental Board

**CERTIFICATE OF SERVICE**

I hereby certify that I did, on the 27<sup>th</sup> day of May, 2021, deposit in the United States mail, postage prepaid, a copy of the foregoing EMERGENCY AGENCY ORDER, properly addressed to the following:

Michael Putnam, D.D.S.  
1910 SE 29<sup>th</sup> Street  
Topeka, KS 66605

Diane L. Bellquist  
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**ATTORNEYS FOR KANSAS DENTAL BOARD**

  
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B. Lane Hemsley  
Executive Director  
Kansas Dental Board