

BEFORE THE MINNESOTA

BOARD OF DENTISTRY

In the Matter of
Mai Kou Xiong, L.D.A.
License No. A14546

**STIPULATION AND ORDER
ACCEPTING VOLUNTARY
SURRENDER OF LICENSE**

STIPULATION

Mai Kou Xiong, L.D.A. (“Licensee”) and the Minnesota Board of Dentistry’s Practitioner Review Committee (“Committee”) agree the above-referenced matter may be resolved without trial of any issue or fact as follows:

I.

JURISDICTION

1. The Minnesota Board of Dentistry (“Board”) is authorized pursuant to Minnesota Statutes chapter 150A, section 214.10, and section 214.103 to license and regulate dental assistants and to take disciplinary action when appropriate, including accepting a voluntary surrender of license.

2. Licensee holds a license from the Board to practice dental assisting in the State of Minnesota and is subject to the jurisdiction of the Board with respect to the matters referred to in this Stipulation and Order.

II.

BACKGROUND

3. Following a thorough review of all available information, the Committee composed of Board members Rick Nolting, D.D.S., Trina Courtright, D.H., A.D.T., and Linda Gustafson, determined that the matter could be resolved with this Stipulation and Order. Michael McSherry, Assistant Attorney General, represents the Committee in this matter.

4. Through this Stipulation and Order, Licensee has been advised by Committee representatives that she may choose to be represented by legal counsel in this matter. Licensee waived her right to representation.

III.

FACTS

5. The parties agree this Stipulation and Order is based upon the following facts:

a. Licensee is a dental assistant who is licensed in the State of Minnesota.

b. Licensee may be unable to practice dental assisting with reasonable skill and safety due to a physical, mental, emotional, or other disability, as follows:

1) On May 9, 2023, Licensee was referred to the Health Professional Services Program (“HPSP”) by the Board after disclosing during her reinstatement interview that she has a mental health disorder.

2) On June 21, 2023, Licensee entered into an HPSP Participation Agreement for monitoring.

3) On January 13, 2025, the HPSP informed the Board that Licensee received an unsatisfactory discharged from the program due to non-compliance.

4) On February 24, 2025, Licensee was referred again to the HPSP by the Board. Licensee declined further participation in the HPSP.

c. Based upon Licensee’s conduct, the Committee determined that the matter could be resolved without the necessity and expense of further proceedings by entering into this stipulation and order accepting voluntary surrender of Licensee’s license.

IV.
LAWS

6. Licensee acknowledges the conduct described in section III. above constitutes a violation of Minnesota Statutes section 150A.08, subdivisions 1(6) and (8), section 214.355, Minnesota Rules 3100.6200(A), and justifies the disciplinary action described in section V. below.

V.
DISCIPLINARY ACTION

The parties agree the Board may take the following disciplinary action and require compliance with the following terms:

7. The Board hereby accepts the **VOLUNTARY SURRENDER** of Licensee's license to practice dental assisting in the State of Minnesota in accordance with the following terms:

a. Prohibitions. Effective the date of this Order, Licensee's license to practice dental assisting in the State of Minnesota is terminated. Licensee shall not engage in any act that constitutes practicing as a licensed dental assistant as defined in Minnesota Statutes section 150A.06, subdivision 2a and Minnesota Rules 3100.8500 and shall not imply to former patients or other persons by words or conduct that Licensee is licensed to practice dental assisting.

Requirements for License Reinstatement

8. The requirements for reinstatement of Licensee's license are as follows:

a. Reinstatement Application. Licensee may apply to the Board for reinstatement at any regularly scheduled Board meeting no earlier than one year after the effective date of the Board's Order. Licensee must comply fully with the applicable statutes and rules in

effect at the time of Licensee's application, including the payment of all fees relating to reinstatement and completing the Professional Development requirements.

b. Documented Sobriety and Chemical Dependency Evaluation. In addition to the reinstatement requirements contained in the applicable statutes and rules in effect at the time of Licensee's application, Licensee shall have the burden of proving that she has successfully addressed the causes of the conduct described in this Stipulation and Order, and that she is fit to practice dental assisting in compliance with accepted standards.

c. Mental Health Evaluation. Within 60 days prior to submission of a reinstatement application to the Board, Licensee shall undergo a mental health evaluation performed by a psychiatrist or a licensed psychologist.

d. Physical Evaluation. Within 60 days prior to submission of a reinstatement application to the Board, Licensee shall undergo a physical examination with a physician.

e. Burden of Proof. Licensee's compliance with the above-referenced requirements shall not create a presumption that she should be granted a license to practice dental assisting in the State of Minnesota. When applying for reinstatement, the burden of proof shall be upon Licensee to demonstrate to the Board by clear and convincing evidence that she is capable of conducting herself in a qualified and competent manner, is able to perform the duties of a dental assistant with reasonable skill and safety and has complied fully with the terms of the Board's Order.

f. Meeting with Practitioner Review Committee. Licensee shall meet with the Practitioner Review Committee of the Board at least 60 days prior to the Board meeting to consider Licensee's application for reinstatement. The Committee shall review and discuss with Licensee

her application and supporting evidence. After meeting with Licensee, the Committee shall forward a report containing its recommendations to the Board.

g. Board Action. At any regularly scheduled Board meeting following Licensee's application for reinstatement and meeting with the Practitioner Review Committee, the Board may take any of the following actions:

- 1) Reissue a license to Licensee;
- 2) Reissue a license to Licensee with limitations and/or conditions placed upon the scope of Licensee's practice of dental assisting; or
- 3) Deny the application for reinstatement upon Licensee's failure to meet the burden of proof.

VI.

ADDITIONAL INFORMATION

9. Licensee waives the contested case hearing and all other procedures before the Board to which Licensee may be entitled under the Minnesota and United States constitutions, statutes, or rules.

10. Licensee waives any claims against the Board, the Minnesota Attorney General, the State of Minnesota, and their agents, employees, and representatives related to the investigation of the conduct herein, or the negotiation or execution of this Stipulation and Order, which may otherwise be available to Licensee.

11. This Stipulation and Order, the files, records, and proceedings associated with this matter shall constitute the entire record and may be reviewed by the Board in its consideration of this matter.

12. Either party may seek enforcement of this Stipulation and Order in any appropriate civil court.

13. Licensee has read, understands, and agrees to this Stipulation and Order and has voluntarily signed this Stipulation and Order. Licensee is aware this Stipulation and Order must be approved by the Board before it goes into effect. The Board may approve the Stipulation and Order as proposed, approve it subject to specified change, or reject it. If the changes are acceptable to Licensee, the Stipulation and Order will take effect and the order as modified will be issued. If the changes are unacceptable to Licensee or the Board rejects the Stipulation and Order, it will be of no effect except as specified in the following paragraph.

14. Licensee agrees that if the Board rejects this Stipulation and Order or a lesser remedy than indicated in this settlement, and this case comes again before the Board, Licensee will assert no claim that the Board was prejudiced by its review and discussion of this Stipulation and Order or of any records relating to it.

15. This Stipulation and Order shall not limit the Board's authority to proceed against Licensee by initiating a contested case hearing or by other appropriate means on the basis of any act, conduct, or admission of Licensee which constitutes grounds for disciplinary action, and which is not directly related to the specific facts and circumstances set forth in this document.

VIII.


DATA PRACTICES NOTICES

16. This Stipulation and Order constitutes disciplinary action by the Board and is classified as public data pursuant to Minnesota Statutes section 13.41, subdivision 5. Data regarding this action will be provided to data banks as required by Federal law or consistent with Board policy. While this Stipulation and Order is in effect, information obtained by the Board

pursuant to this Order is considered active investigative data on a licensed health professional, and as such, is classified as confidential data pursuant to Minnesota Statutes section 13.41, subdivision 4.

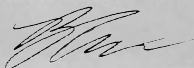
17. This Stipulation contains the entire agreement between the parties, there being no other agreement of any kind, verbal or otherwise, which varies this Stipulation.

LICENSEE



MAI ROU XIONG, L.D.A.

PRACTITIONER REVIEW COMMITTEE



BRIDGETT ANDERSON, L.D.A., M.B.A.
Executive Director

Dated: 04/24/2025, 2025

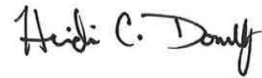
Dated: April 24th, 2025

ORDER

Upon consideration of the foregoing Stipulation and based upon all the files, records and proceedings herein,

The Board approves and adopts the terms of the Stipulation, orders the recommended action set forth in the Stipulation, and accepts the **VOLUNTARY SURRENDER** of Licensee's license to practice dental assisting in the State of Minnesota effective this ____28th____ day of ____April____, 2025.

MINNESOTA BOARD OF DENTISTRY



HEIDI DONNELLY, L.D.A.
Board President