

**BEFORE THE MINNESOTA**

**BOARD OF DENTISTRY**

In the Matter of  
Michael Scott Ludwig, D.D.S.  
License Number D10672

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

**STIPULATION**

Michael S. Ludwig, D.D.S. ("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 dentists and to take disciplinary action when appropriate, including accepting a voluntary surrender of license.

2. Licensee holds a license from the Board to practice dentistry 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, Heidi Donnelly, L.D.A., Ashley Johnson, D.M.D., Peter Cannon, D.D.S., determined that the matter could be resolved by mail with this Stipulation and Order. Michael D. McSherry, Assistant Attorney General, represented the Committee in this matter.

4. Through this Stipulation and Order, Licensee has been advised by Committee representatives that he may choose to be represented by legal counsel in this matter. Licensee elected to proceed pro se.

### **III.**

#### **FACTS**

5. The parties agree this Stipulation and Order is based upon the following facts:
- a. Licensee is a dentist licensed in the State of Minnesota.
  - b. The Board received information indicating that, in 2024, Licensee stored and consumed alcohol in his workplace setting. The information indicated that Licensee suffers from an alcohol use disorder that adversely affects Licensee's ability to perform licensed dentistry.
  - c. Licensee intends to close his practice and retire from the practice of dentistry.
  - d. Based upon the aforementioned information regarding Licensee, the Committee determined that the matter could be resolved by entering into this stipulation and order accepting the voluntary surrender of Licensee's license to practice dentistry and revoking his license.

### **IV.**

#### **LAWS**

6. Licensee acknowledges the conduct described in section III. above constitutes a violation of Minnesota Statutes section 150A.08, subdivision 1(4), (6), and (8), and Minnesota Rule 3100.6200(A) and (B). Licensee acknowledges that these violations justify 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 dentistry in the State of Minnesota and **REVOKES** Licensee's license in accordance with the following terms:

a. Prohibitions. Effective the date of this Order, Licensee shall not engage in any act that constitutes the practice of dentistry as defined in Minnesota Statutes section 150A.05 and shall not imply to former patients or other persons by words or conduct that Licensee is licensed to practice dentistry.

b. Transfer of Patient Records. If applicable, no later than 30 days after the effective date of this Order, Licensee shall notify his patients that he is no longer practicing dentistry and they may request that their patient records be provided to them or their new treating dentists. Licensee shall comply with record requests within 15 days of receipt. Within 30 days after the date of this Order, Licensee shall provide the Board with written verification that he has complied with this paragraph.

**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 five years 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. License Examination(s). If Licensee is out of practice for more than two (2) years after the effective date of this Stipulation and Order, Licensee shall take and successfully attain a passing score on the regional clinical examination specified in Minnesota Rules 3100.1100, subpart 1(E).

c. Burden of Proof. Licensee's compliance with the above-referenced requirements shall not create a presumption that he should be granted a license to practice dentistry 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 he is capable of conducting himself in a qualified and competent manner, is able to perform the duties of a dentist with reasonable skill and safety, and has complied fully with the terms of the Board's Order.

d. Meeting with a Practitioner Review Committee. Licensee shall meet with a 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 his application and supporting evidence. After meeting with Licensee, the Committee shall forward a report containing its recommendations to the Board.

e. Board Action. At any regularly scheduled Board meeting following Licensee's application for reinstatement and meeting with a 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 dentistry; 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.

## **VII.**

### **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.

[Signatures on Next Page]

LICENSEE

  
MICHAEL S. LUDWIG, D.D.S.

Dated: 11/4/24, 2024

PRACTITIONER REVIEW COMMITTEE

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

Dated: Nov 18th, 2024

## 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, accepts the **VOLUNTARY SURRENDER** of Licensee's license, and **REVOKES** Licensee's license to practice dentistry in the State of Minnesota effective this 25th day of November, 2024.

MINNESOTA BOARD OF DENTISTRY



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ANGELA RAKE, D.D.S.  
President