
**BEFORE THE MINNESOTA
BOARD OF DENTISTRY**

In the Matter of
Paul Tompach, D.D.S.
License No. D11128

**ORDER FOR
TEMPORARY SUSPENSION**

The Minnesota Board of Dentistry (“Board”) is authorized pursuant to Minnesota Statutes sections 150A.01 through 150A.22, 214.10 and 214.103 (2014) to license, regulate, and discipline persons who apply for, petition, or hold licenses to practice dentistry in the State of Minnesota, and to take disciplinary action where appropriate. The Board is further authorized pursuant to Minnesota Statutes section 214.077 to temporarily suspend a dentistry license, if the Board has probable cause to believe continued practice by the dentist presents an imminent risk of harm.

1. The Board has received credible information that Paul Tompach, D.D.S. has failed to provide appropriate oral surgery care when extracting four wisdom teeth from a patient, failed to appropriately manage a medical emergency, and enabled allied dental personnel (i.e., an unlicensed dental assistant, licensed dental assistant, and student intern) to perform tasks which exceeded their legal scope of practice.

2. After a preliminary inquiry, the Board finds there is probable cause that Respondent has violated Minnesota Statutes Section 105A.08, subdivision 1(6) (engaging in conduct unbecoming of a person licensed to practice dentistry . . . or conduct contrary to the best interest of the public); (11) (employing, assisting, or enabling in any manner an unlicensed person to practice dentistry); (13) (violating, or failing to comply with, any other provisions of sections 150A.01 to 150A.12, the rules of the Board of Dentistry); Minnesota Statute

section 150A.10, subd. 2 (stating dentists are responsible for the acts of any unlicensed person they use for assistance in the practice of dentistry; and “[a]ny licensed dentist . . . who permits an unlicensed assistant to perform any dental service other than that authorized by the board shall be deemed to be enabling an unlicensed person to practice dentistry”); Minnesota Statutes section 150A.11 (unlawfully enabling an unlicensed person to practice dentistry); Minnesota Rule 3100.6200(B) (gross ignorance or incompetence in the practice of dentistry or repeated performance of dental treatment that falls below accepted standards); Minnesota Rule 3100.8100(C) (permitting persons to perform services for which they have not been licensed); Minnesota Rule 3100.8300 (licensed dentist responsible for acts and omissions of employed assistants, technicians, hygienists, or dental therapists); Minnesota Rule 3100.8400, subpart 3 (stating an unlicensed assistant may not perform any dental treatment or procedure on patients not otherwise authorized by this chapter); Minnesota Rule 3100.8500, subparts 1a(O) & 3 (requiring licensed dental assistants to have “successfully completed board-approved allied dental personnel courses comprised of intravenous access and general anesthesia and moderate sedation training” before being permitted to preoperatively, intraoperatively, or postoperatively monitor moderately sedated patients, as well as prohibiting licensed dental assistants from performing any dental treatment or procedure on patients not otherwise authorized by this chapter); Minnesota Rule 3100.9600 (failure to make or maintain adequate dental records on a patient), and that Respondent’s continued practice would present an imminent risk of harm.

3. Based on the above facts, the Board finds that a temporary suspension of Respondent’s license is warranted pursuant to Minnesota Statutes section 214.077.

Accordingly, the Board issues the following:

ORDER

1. Respondent's license to practice as a dentist in the State of Minnesota is **TEMPORARILY SUSPENDED IMMEDIATELY** pursuant to Minnesota Statutes section 214.077. **During the period of suspension, Respondent shall not in any manner practice as a dentist in the State of Minnesota.**

2. The temporary suspension of Respondent's license shall take effect immediately and shall remain in effect until the Board issues a final order in this matter.

3. A contested case hearing will be scheduled with the Office of Administrative Hearings in this matter, pursuant to the Minnesota Administrative Procedure Act, located at Minnesota Statutes Chapter 14. Unless otherwise agreed by the parties, the Board's Complaint Committee shall provide Respondent with at least 10 days' notice of the hearing and the hearing shall be scheduled to begin no later than 30 days after the issuance of this Order.

Dated: January 29, 2016.

MINNESOTA BOARD OF DENTISTRY



JOYCE NELSON
Interim Executive Director