

BEFORE THE MINNESOTA**BOARD OF DENTISTRY**

In the Matter of
William R. Johnson, D.D.S.
License No. D6328

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

The Minnesota Board of Dentistry ("Board") is authorized pursuant to Minn. Stat. ch. 150A, §§ 214.10 and 214.103, to license and regulate dentists, to refer complaints against dentists to the Attorney General for investigation, and to take action when appropriate including accepting a voluntary surrender of license.

William R. Johnson, D.D.S. ("Licensee") desires to voluntarily surrender his license to practice dentistry in the State of Minnesota, and further desires to waive any right to seek reconsideration, reinstatement, or relicensure of any sort in the State of Minnesota at any time in the future. The Board's Complaint Committee ("Committee") and Licensee agreed that the matter may be resolved by this stipulation and order accepting voluntary surrender of Licensee's license.

STIPULATION

IT IS HEREBY STIPULATED AND AGREED by and between Licensee and the Committee as follows:

A. Jurisdiction. Licensee holds a license to practice dentistry in the State of Minnesota from the Board and is subject to the jurisdiction of the Board with respect to the matters referred to in this stipulation. Licensee states that he does not hold a license to practice dentistry in any other jurisdiction and does not hold any other professional or occupational licenses.

B. Facts. This stipulation is based upon the following facts:

1. Licensee has not practiced dentistry since March 2006, because of physical disability and related health problems which prevent him from practicing dentistry with reasonable skill and safety.

2. On December 19, 2006, Licensee contacted the Board to request a voluntary surrender of his license to practice dentistry in the State of Minnesota because of his ongoing health problems.

C. Voluntary Surrender. Licensee and the Committee recommend that the Board issue an order accepting the **VOLUNTARY SURRENDER** of Licensee's license to practice dentistry in the State of Minnesota without right for reconsideration, reinstatement, or relicensure at any time from this date forward and in accordance with the following terms:

1. Surrender. Effective the date of the order, Licensee's license to practice dentistry in the State of Minnesota is terminated. Within ten days of the date the order is adopted by the Board, Licensee shall surrender to the Board Licensee's original license and current renewal certificate by delivering them personally or by first-class mail to Marshall Shragg, Executive Director, Minnesota Board of Dentistry, 2829 University Avenue S.E., Suite 450, Minneapolis, Minnesota 55414.

2. Prohibitions. Licensee shall not engage in any act which constitutes the practice of dentistry as defined in Minn. Stat. § 150A.05 and shall not imply to former patients or other persons by words or conduct that Licensee is licensed to practice dentistry.

3. Transfer of Patient Records. No later than 30 days after the effective date of this order, if Licensee has retained any patient records in his possession, Licensee shall notify his patients that he is no longer practicing 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 he has complied with this paragraph.

D. Waiver of Right to Apply for Relicensure or Reinstatement of License. Licensee voluntarily agrees as a term of this voluntary surrender of his license that he will forgo any right he may have had in the future to apply for relicensure or reinstatement of license, or by any other means. By agreeing to this waiver, Licensee acknowledges that he will never have standing to seek dental licensure in the State of Minnesota, and is voluntarily waiving that right.

E. Judicial Relief. If Licensee violates paragraph C above, a district court of this state may, upon application of the Committee, enter an order enjoining Licensee from such practice and grant the Board costs, reasonable attorney fees, and other appropriate relief.

F. Right to an Attorney. Through this stipulation and order, Licensee is further notified that Licensee may choose to be represented by legal counsel in this matter. Licensee has elected to be represented by Barbara A. Zurek in this matter who has advised Licensee regarding this stipulation and order. The Committee involved with this matter is comprised of Board members Linda Boyum, R.D.A., John Bengtson, D.D.S., and Mark Harris, D.D.S. Assistant Attorney General Tamar N. Gronvall is representing the Committee.

G. Waiver of Licensee's Rights. For the purpose of this stipulation, Licensee waives all procedures and proceedings before the Board to which Licensee may be entitled under the Minnesota and United States constitutions, statutes, or the rules of the Board, including the right to a contested case proceeding pursuant to Minn. Stat. ch. 14. Licensee agrees that upon the application of the Committee without notice to or an appearance by Licensee, the Board may issue an order accepting Licensee's voluntary surrender of his license as specified herein. The

Committee may participate in Board deliberations and voting concerning the stipulation. Licensee waives the right to any judicial review of the order by appeal, writ of certiorari, or otherwise.

H. Board Rejection of Stipulation and Order. In the event the Board, in its discretion, does not approve this stipulation or a lesser remedy than specified herein, this stipulation and order shall be null and void and shall not be used for any purpose by either party hereto. If this stipulation is not approved and a contested case proceeding is initiated pursuant to Minn. Stat. ch. 14 and § 150A.08, Licensee agrees not to object to the Board's initiation of the proceeding and hearing the case on the basis that the Board has become disqualified due to its review and consideration of this stipulation and the record.

I. Record. This stipulation, related investigative reports, and other documents shall constitute the entire record of the proceedings herein upon which the order is based. The investigative reports, other documents, or summaries thereof may be filed with the Board with this stipulation. Any reports or other material related to this matter which are received after the date the Board approves the stipulation and order shall become a part of the record and may be considered by the Board in future aspects of this proceeding.

J. Data Classification. Under the Minnesota Data Practices Act, this stipulation and order is classified as public data. Minn. Stat. § 13.41, subd. 5. All documents in the record shall maintain the data classification to which they are entitled under the Minnesota Government Data Practices Act, Minn. Stat. ch. 13. They shall not, to the extent they are not already public documents, become public merely because they are referenced herein. Pursuant to federal rule (45 C.F.R. parts 60 and 61), the Board must report the voluntary surrender of licensure contained in this stipulation and order to the National Practitioner Data Bank.

K. Entire Agreement. Licensee has read, understood, and agreed to this stipulation and is freely and voluntarily signing it. This stipulation contains the entire agreement between the parties hereto. Licensee is not relying on any other agreement or representations of any kind, verbal or otherwise.

L. Service and Effective Date. If approved by the Board, a copy of this stipulation and order shall be served personally or by first-class mail on Licensee. The order shall be effective and deemed issued when it is signed by the President or Vice-President of the Board.

LICENSEE


WILLIAM R. JOHNSON, D.D.S.

Dated: 3-19-07, 2007

COMPLAINT COMMITTEE

By: 
MARSHALL SHRAGG
Executive Director

Dated: MARCH 20TH, 2007

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 dentistry in the State of Minnesota effective this 23rd day of March, 2007.

MINNESOTA BOARD
OF DENTISTRY

By: 
MARK W. HARRIS, D.D.S.
President