BEFORE THE MINNESOTA

BOARD OF DENTISTRY

In the Matter of Norman E. Nordgren, D.D.S. License No. D9108	**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 disciplinary action when appropriate.

The Board received a complaint against Norman E. Nordgren, D.D.S. ("Licensee"). The Board's Complaint Committee ("Committee") reviewed the complaint and referred it to the Attorney General's Office for investigation. Following the investigation, the Committee held a conference with Licensee and as a result the parties have agreed that the matter may now be resolved by this stipulation and order.

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. In June 2005, the Board received a complaint against Licensee alleging inadequate safety/sanitary conditions and improper care. The complaint was forwarded to the

Committee and the Committee referred the matter for investigation to the Attorney General's Office.

2. On January 24, 2007, the Committee held a conference with Licensee to discuss alleged violations of the Dental Practice Act, Minn. Stat. ch. 150A and Minn. R. ch. 3100, for infection control, recordkeeping, and clinical practice.

3. During the conference, Licensee requested a voluntary surrender of his license to practice dentistry in the State of Minnesota. Licensee indicated that he plans to retire from practicing dentistry in the near future.

4. On April 5, 2007, Licensee sent a letter to the Committee requesting that he be allowed to continue practicing dentistry through August 7, 2007, at which time he would reach the age for retirement. The Committee reviewed Licensee's letter and accepted this request. Thus, Licensee will voluntarily surrender his license on August 8, 2007.

C. Violations. Licensee admits that the Board of Dentistry has acquired good and sufficient evidence in the course of its investigation of this matter to conclude that his conduct violated Minn. Stat. § 150A.08, subd. 1(6), (10), and Minn. R. 3100.9600 and that his conduct provides sufficient grounds for the disciplinary action specified below.

D. Disciplinary Action. 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 in accordance with the following terms:

1. Surrender. Effective on August 8, 2007, Licensee's license to practice dentistry in the State of Minnesota is terminated. By August 18, 2007, 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. After August 8, 2007, 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 September 7, 2007, 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. By September 7, 2007, Licensee shall provide the Board with written verification he has complied with this paragraph.

E. Application for Relicensure. Licensee may apply to the Board for relicensure 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 relicensure. Minn. R. 3100.1850 does not apply to an application for relicensure following the issuance of a stipulation and order for voluntary surrender of license.

In addition, if Licensee is out of practice for more than two (2) years after the effective date of this stipulation and order, he shall attain a passing score on the regional clinical examination. 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.

Upon Licensee's application for relicensure, the burden of proof shall be upon him 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.

F. Meeting With a Complaint Committee. Licensee shall meet with a Complaint Committee of the Board at least 30 days prior to the Board meeting to consider Licensee's application for relicensure. The Complaint Committee shall review and discuss with Licensee his application and supporting evidence to resume the practice of dentistry. After meeting with Licensee, the Complaint 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 relicensure and meeting with a Complaint 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; or

3. Deny the application for relicensure upon Licensee's failure to meet the burden of proof.

H. Judicial Relief. If Licensee violates paragraph D 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.

I. Attendance at Conference. Licensee attended a conference with the Committee on January 24, 2007. The following Committee members attended the conference: Linda Boyum, R.D.A., John Bengtson, D.D.S., and Mark Harris, D.D.S. Assistant Attorney General Tamar N. Gronvall represented the Committee at the conference. Although Licensee was informed at the conference that he could be represented by legal counsel, Licensee has knowingly and voluntarily waived that opportunity.

J. 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 dispute the facts contained in this stipulation and order and to dispute the appropriateness of discipline in a contested 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 imposing the discipline 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.

K. 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.

L. 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.

M. 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 disciplinary action contained in this stipulation and order to the National Practitioner Data Bank and the Healthcare Integrity and Protection Data Bank.

N. 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.

O. 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

Norman E Nordgren

NORMAN E. NORDGREN, D.D.S.

Dated: 6-7, 2007

COMPLAINT COMMITTEE

By: Martha Shragg

MARSHALL SHRAGG
Executive Director

Dated: June 12th, 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 15th day of June, 2007.

MINNESOTA BOARD
OF DENTISTRY

By: Nadene Bunge, DH
NADENE BUNGE, D.H.
Acting President