

BEFORE THE MINNESOTA

BOARD OF DENTISTRY

In the Matter of
Richard Nyman, D.D.S.
License No. D7335

**ORDER FOR
UNCONDITIONAL LICENSE**

The Minnesota Board of Dentistry ("Board") met to review the petition of Richard Nyman, D.D.S. ("Licensee") for reinstatement of an unconditional license to practice dentistry in Minnesota.

BACKGROUND

1. Licensee and the Board's Complaint Committee ("Committee") entered into a Stipulation and Order which was approved by the Board on January 12, 2001, ("2001 Stipulation and Order") that placed conditions on Licensee's dental license. The 2001 Stipulation and Order was based on evidence that Licensee failed to provide appropriate orthodontic treatment for one or more patients.

2. Pursuant to paragraph D. of the 2001 Stipulation and Order, Licensee's license was placed in a conditional status.

FINDINGS OF FACT

The Board makes the following findings of fact:

3. Pursuant to paragraph D. of the 2001 Stipulation and Order, Licensee was required to do the following:

a. Paragraph D.1.a. required Licensee to accept no new orthodontic patients until he successfully complied with the conditions listed in paragraph D.2. The

Committee has not received any indication that Licensee failed to comply with this requirement.

b. Paragraph D.1.b. required Licensee to submit a list of his current orthodontic patients to the Committee within 30 days of the effective date of the 2001 Stipulation and Order, including a copy of their specific treatment plans, status of each patient's progress with treatment, and a proposed plan for referring the patients to another dentist or orthodontist. Licensee submitted the list and required information which was reviewed by an orthodontic specialist. At the direction of the specialist, two of the patients being treated by the Licensee were referred to a Board certified orthodontist.

c. Paragraph D.1.c. required Licensee to meet with the Committee and/or a consultant to present an orthodontic case including creation of patient records, diagnosis, and treatment plan for the purpose of assessing licensee's ability to practice orthodontics before resuming an unlimited orthodontic practice. Licensee met with and presented the required case to the Committee and the Board's orthodontic consultant. Thereafter, the Committee informed Licensee by letter of its decision to refrain from any action regarding the limitation at that time.

d. Paragraph D.2.a.1. required Licensee to complete a minimum of 30 hours of instruction in orthodontics, including a hands-on component. Licensee completed several multi-day courses for a total of 38 hours of instruction in orthodontics.

e. Paragraph D.2.a.2. required Licensee to complete a one-day course in professional risk management emphasizing complete and accurate recordkeeping. Licensee completed the CNA Dental Professional Liability Home Study Course which was pre-approved of the Committee.

f. Paragraph D.2.b. required that within 30 days of completion of each course Licensee submit documentation of course completion, a copy of the course materials used, and a written report on what Licensee learned, and the changes made to his practice. Licensee submitted written reports in a timely fashion which were reviewed and accepted by the Committee.

g. Paragraph D.2.c. required Licensee to pass the Minnesota Jurisprudence Examination with a score of at least 90 percent within 90 days of the effective date of the 2001 Stipulation and Order. Licensee did so on February 23, 2001.

h. Paragraph D.2.d. required Licensee to comply with all the laws and rules of the Board of Dentistry, cooperate with the Board's requests, and comply with the most current infection control requirements. The Committee has not received any indication that Licensee has violated this portion of the 2001 Stipulation and Order.

ORDER

IT IS ORDERED that an UNCONDITIONAL LICENSE to practice dentistry in the State of Minnesota be conferred upon Licensee, such license to carry all duties, benefits, responsibilities, and privileges inherent therein through Minnesota statute and rule.

Dated: September 19, 2003

MINNESOTA BOARD
OF DENTISTRY

By: Freeman W. Rosenblum, DDS
FREEMAN ROSENBLUM, D.D.S.
President