

BEFORE THE MINNESOTA

BOARD OF DENTISTRY

In the Matter of
Jane E. Odgers, D.D.S.
License No. D9999

**AMENDED STIPULATION AND ORDER
FOR CONDITIONAL 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(s) against Jane E. Odgers, D.D.S. ("Licensee"). The Board's Complaint Committee ("Committee") reviewed the complaint(s) alleging substandard care and unprofessional conduct. Currently, Licensee's license is subject to a Stipulation and Order for Conditional License adopted by the Board on January 28, 2005 ("2005 Order"). However, Licensee has been non-compliant with certain conditions of her 2005 Order. Based upon Licensee's non-compliance and the recent complaints, the Committee held two conferences with Licensee on March 18 and April 24, 2008. The Committee and Licensee 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 Licensee does not hold a license to

practice dentistry in any other jurisdiction and does not hold any other professional or occupational licenses.

B. Facts. Licensee agrees that the Board may consider the following facts to be true, but only for the purpose of this Stipulation and any further proceedings before the Board, and not for any other purpose, including but not limited to any civil action.

Background

1. On April 4, 1997, the Board adopted a Stipulation and Order for Conditional License (“1997 Order”) which placed conditions on Licensee’s dental license. Among other things, the 1997 Order provided that if the Board received another complaint against Licensee alleging additional misconduct, she would be required to cooperate with an office inspection conducted by the Board’s representative.

2. In September 1998, the Board received and forwarded to the Committee for review a complaint against Licensee alleging inadequate infection control practices. Pursuant to Licensee’s 1997 Order, the Board’s representative conducted an infection control inspection of Licensee’s dental office in November 1998, submitting a report to the Committee. Based upon the inspection report, the Committee served a Notice of Conference on Licensee in February 1999 requesting her to respond to the allegations. After reviewing Licensee’s response, the Committee decided to have a second inspection conducted and to cancel the scheduled conference with Licensee. In June 1999, a second inspection was conducted by the Board’s representative and a report submitted to the Committee. After reviewing the inspection report, the Committee found insufficient evidence to support additional disciplinary action towards Licensee at that time and decided to close the matter.

3. In February 2000, the Board received additional complaints against Licensee, which the Committee had investigated by the Minnesota Attorney General's Office ("investigation"). The Committee reviewed the investigative report. On September 11, 2000, the Committee held a disciplinary conference with Licensee, who was not represented by legal counsel, to discuss allegations regarding health-related concerns and unprofessional conduct towards patients and employees. Following the conference, the Committee served upon Licensee an Order for Mental and Physical Examination on October 4, 2000 ("2000 Order") requiring her to obtain a multidisciplinary assessment of her current health status.

4. On October 26, 2000, the Committee held another disciplinary conference with Licensee along with her attorney to discuss allegations regarding inadequate infection control practices and substandard care. Following the conference, the Committee decided to postpone making a final determination until Licensee had completed her multidisciplinary assessment.

5. On March 12, 2001, the Committee sent a proposed Amended Stipulation and Order for Limited and Conditional License to Licensee and her attorney. Meanwhile, the Board received additional complaints against Licensee, which were referred for investigation in July 2001. An investigative report was submitted to and reviewed by the Committee.

6. On April 24, 2002, the Committee sent to Licensee a Notice Of and Opportunity to Respond to New Allegations, which alleged substandard diagnostic and prosthodontic care, unprofessional conduct, and substandard recordkeeping. On May 15, 2002, Licensee submitted her response to the allegations. On November 16, 2002, the Committee requested that Licensee submit six patient records where she had provided recent prosthodontic

treatment. On January 23, 2003, the Committee met with Licensee and her attorney to discuss the patient records submitted by Licensee.

7. On January 28, 2005, the Board adopted a Stipulation and Order for Conditional License (“2005 Order”) which placed conditions on Licensee’s dental license. The 2005 Order addressed the following issues: inadequate safety and sanitary conditions; substandard operative, prosthodontic, and endodontic treatment; substandard periodontal treatment; substandard radiographic diagnosis and recordkeeping; and unprofessional conduct/failure to respond to patients’ requests for records. Violation of this Order shall constitute violation of a Board order for purposes of Minnesota Statutes section 150A.08, subdivision 1(13), and provide grounds for further disciplinary action. Licensee is currently subject to the 2005 Order. However, Licensee has been non-compliant with certain conditions of her 2005 Order by failing to obtain pre-approval from the Committee for a consulting prosthodontist as well as certain courses, and failing to submit a written report.

8. In January and May 2007, the Board received additional complaints against Licensee alleging substandard care and unprofessional conduct and forwarded them to the Committee. Licensee was notified of the complaints and submitted her responses to the allegations to the Committee.

9. Based upon Licensee’s non-compliance and the recent complaints, the Committee held the following two conferences with Licensee: on March 18, 2008, where Licensee was not represented by legal counsel; and on April 24, 2008, where Licensee had legal representation. The Committee discussed with Licensee the following matters described below.

Non-compliance With 2005 Order / Unprofessional Conduct

10. Licensee is non-compliant with conditions of her 2005 Order, as follows:

a. Licensee failed to obtain pre-approval from the Committee regarding the consulting prosthodontist selected by her prior to having that prosthodontist review her case involving implant treatment as outlined in paragraph D.1.a. of her 2005 Order, as follows:

1) On June 14, 2006, Licensee submitted to the Committee various documents regarding implant treatment that was provided for patient S.H. that had been reviewed and signed by Mark W. Wilhelm, D.M.D., M.S.D. (“Wilhelm”), a prosthodontist in Woodbury, Minnesota.

2) On August 2, 2006, the Board’s compliance officer contacted Wilhelm regarding the documents submitted by Licensee and his involvement with reviewing Licensee’s implant case. Wilhelm stated that he received from Licensee and reviewed pre-operative radiographs, a narrative of treatment provided by Licensee, and pre- and post-operative photographs of implant treatment that had been completed for patient S.H. Wilhelm added that he did not personally examine the patient, consult with Licensee prior to the start of treatment, or review the patient’s post-operative radiographs. Moreover, Wilhelm confirmed that he did send a signed letter dated June 5, 2006, to Licensee. However, the two typed letters entitled “Completion of Treatment of the Anterior Edentulous Space for S.H.” and “A Treatment Plan for S.H. edentulous space #9” were written by Licensee, and Wilhelm stated that he never personally signed or initialed the two letters in question. Wilhelm was provided with a copy of the documents but considered the letters to be summaries of the cases and never authorized the documents to be filed as letters from his office.

3) On August 3, 2006, the Committee sent a letter to Licensee indicating that the Committee did not accept the documents/report submitted by her regarding

the implant treatment provided to patient S.H. Specifically, the Committee found that Licensee failed to obtain pre-approval from the Committee when selecting a consulting prosthodontist prior to having that prosthodontist review her implant treatment case as required within paragraph D.1.a. of the 2005 Order. In addition, Licensee failed to follow the instructions of this same paragraph requiring her to have discussions with the consulting prosthodontist at two stages of treatment. Licensee only contacted her consulting prosthodontist after completing the treatment.

b. The Committee determined that Licensee's conduct was unprofessional when she signed/initialed two typed letters entitled "Completion of Treatment of the Anterior Edentulous Space for S.H." and "A Treatment Plan for S.H. edentulous space #9" using the identity of the aforementioned consulting prosthodontist without authorization from the consulting prosthodontist and without his knowledge and consent. On October 12, 2006, the Committee sent a letter to Licensee asking her to clarify her conduct regarding this matter. In her October 25 and December 4, 2006 letters, Licensee stated that when she received the report from Wilhelm, it was unsigned and she assumed it was an oversight on his part, and she was simply trying to be compliant.

c. Licensee failed to obtain pre-approval from the Committee prior to completing certain endodontic and restorative courses as outlined in paragraph D.1.b. (Course Work) of her 2005 Order, as follows:

1) On December 6, 2006, Licensee submitted to the Committee for prior approval information regarding various courses to be offered in January 2007 at the Yankee Dental Congress in Boston, Massachusetts.

2) In its December 8, 2006 letter to Licensee, the Committee granted approval for the following courses at Yankee Dental Congress entitled: “Excellence in Esthetic Posterior Restorations;” “The Art of Endodontics;” and “Systems to Simplify Endodontics.”

3) In its September 5, 2007 letter, the Committee informed Licensee that the three courses she submitted as (two endodontic courses and one restorative course) taken by her at the Yankee Dental Congress in January 2007 were not the courses that were previously approved by the Committee.

d. Licensee failed to submit accurate information for a recordkeeping course when requesting pre-approval of the course from the Committee as outlined in paragraph D.1.b. (Course Work) of her 2005 Order. In March 2005, Licensee submitted information to the Committee on a CNA course entitled “Dental Professional Liability Risk Management Seminar” where she indicated by handwritten notation that attendees would receive eight (8) hours of credit. After reviewing CNA’s Web site, the Board’s compliance officer found that the aforementioned course showed only four (4) hours of credit for attendees. In its March 17, 2005 letter, the Committee granted Licensee approval for four (4) credit hours for the recordkeeping course.

Substandard Care

11. The Committee determined that Licensee provided dental care which fell below the accepted standards in the practice of dentistry on more than one of her patients, as follows:

a. For patient 1, the Committee determined Licensee failed to provide proper palliative endodontic treatment when providing dental care, as follows:

1) On September 28, 2006, Licensee saw patient 1, taking a periapical radiograph and providing palliative endodontic treatment for tooth #3 due to the patient being in pain. Following treatment, Licensee did not prescribe an antibiotic medication for patient 1, and failed to document in the patient's record her rationale for not doing so. Licensee also referred the patient to an endodontist to complete the endodontic treatment.

2) On November 30, 2006, patient 1 saw a subsequent dental provider who completed the endodontic treatment on tooth #3. While providing treatment for patient 1, the subsequent dental provider found the access opening on tooth #3 had been left open and the floor of the pulp chamber was perforated on the mesial aspect, as seen on the November 30, 2006, periapical radiograph. The subsequent dental provider was also concerned about patient 1 not receiving a prescription for antibiotic medication for tooth #3.

b. For patient 2, the Committee determined Licensee failed to provide an appropriate treatment plan and obtain the patient's informed consent prior to performing dental treatment. On December 18, 2006, Licensee saw patient 2 to remove an existing broken crown on tooth #30 and prepare the tooth for a new crown. After Licensee seated the new crown on tooth #30, patient 2 was unhappy with the crown's appearance having a small amount of metal showing on the occlusal surface. Patient 2 believes the new crown had a hole in it and wanted the crown replaced by another dental provider. In her response regarding patient 2, Licensee described the new crown on tooth #30 as being porcelain having a metal island in the distal pit.

Substandard Recordkeeping-Transfer of Records

12. The Committee determined Licensee failed to properly release and transfer the health records for patient 2 according to the provisions of Minnesota Statutes section

144.335 in a timely manner. Patient 2 was informed by Licensee's office that the process for copying and duplicating the records would take about 20 weeks.

C. Violations. Licensee admits that the facts and conduct specified above constitute violations of Minn. Stat. § 150A.08 and Minn. Stat. § 144.292 and Minn. R. 3100.9600 (failure to properly transfer dental records on each patient); and are sufficient grounds for the disciplinary action specified below.

D. Disciplinary Action. Licensee and the Committee recommend that the Board issue an order **RESCINDING** the 2005 Stipulation and Order for Conditional License and placing **CONDITIONS** on Licensee's license to practice dentistry in the State of Minnesota as follows:

CONDITIONS

Licensee's license shall be subject to the following conditions:

1. Rescind March 19, 2008 Petition. On March 19, 2008, Licensee submitted a petition to the Board requesting certain amendments to her 2005 Stipulation and Order for Conditional License. Licensee now agrees to rescind her petition to allow for this stipulation and order to supersede her 2005 Stipulation and Order for Conditional License.

2. Quarterly Self-reports. On December 1, 2008, Licensee will submit her first quarterly self-report to the Committee. Licensee will be required to submit a self-report on the first day of December, March, June and September of every year until she has completed the conditions of this stipulation and order. Each self-report shall address and/or provide: (a) the status of Licensee's practice of dentistry, including self-employment changes or hiring an associate dentist; (b) status of the coursework required by this stipulation and order;

(c) information about how Licensee handles any patient complaints; and (d) any other information Licensee deems relevant.

3. Implant Cases and Prosthodontist. Following the effective date of this Order, Licensee must submit one or more names of prosthodontists to the Committee for review and approval by the Committee. Once a prosthodontist has been approved by the Committee, Licensee shall discuss four upcoming cases involving implant(s) with this particular prosthodontist. The discussions between Licensee and the prosthodontist will occur at the following two stages of treatment:

a. after Licensee's diagnosis of the patient's needs and developing a treatment plan; and after Licensee has consulted with the laboratory she uses and the oral/periodontal surgeon who will perform the surgery; and

b. after the completion of the implant treatment.

Within 30 days after having the latter of the two discussions with the prosthodontist, Licensee shall have the prosthodontist submit a report to the Committee on each of the four implant cases. Each report shall address the reasonableness of Licensee's treatment decisions and adequacy of the treatment provided by Licensee. After completing the four implant cases, Licensee shall not proceed with any further or additional implant cases until the reports from the four implant cases have been reviewed and accepted by the Committee. The Committee will review cases submitted by Licensee at the next scheduled Committee meeting after such cases have been received by the Board.

4. Coursework. Licensee shall successfully complete the coursework described below. **All coursework must be approved in advance by the Committee.** Licensee is responsible for locating, registering for, and paying for all coursework taken pursuant to this

stipulation and order. Licensee must provide each instructor with a copy of this stipulation and order prior to commencing a course. Licensee shall pass all courses with a grade of 70 percent or a letter grade “C” or better. Licensee’s signature on this stipulation and order constitutes authorization for the course instructor(s) to provide the Committee with a copy of the final examination and answers for any course Licensee takes. Licensee’s signature also authorizes the Committee to communicate with the instructor(s) before, during, and after Licensee takes the course about Licensee’s needs, performance and progress. None of the coursework taken pursuant to this stipulation and order may be used by Licensee to satisfy any of the continuing dental education/professional development requirements of Minn. R. 3100.5100, subpart 2. The coursework is as follows:

a. Ethics. Within nine months of the effective date of this Order, Licensee shall complete an individually designed one-on-one course in ethics offered by Dr. Muriel Bebeau at the University of Minnesota School of Dentistry, or an equivalent course offered by another practitioner. Licensee’s signature on this Order is authorization for the Committee to communicate with the practitioner before, during, and after Licensee takes the course about her needs, performance, and progress.

b. Endodontics. Within nine months of the effective date of this Order, Licensee shall successfully complete a minimum of six hours of instruction on endodontics which focuses on access and palliative or emergency treatment.

5. Written Coursework Reports. Within 30 days of completing each of the courses listed above, Licensee shall submit to the Committee:

a. a transcript or other documentation verifying that Licensee has successfully completed the course;

- b. a copy of all materials used and/or distributed in the course; and
- c. a written report summarizing how Licensee has implemented this knowledge into Licensee's practice. Licensee's reports shall be typewritten in Licensee's own words, double-spaced, at least two pages and no more than three pages in length, and shall list references used to prepare the report. All reports are subject to approval by the Committee.

6. Office Inspections.

- a. Infection Control Inspection. Licensee shall fully cooperate with an unannounced office visit by a representative of the Board conducted for the purpose of inspecting the safety and sanitary conditions present in Licensee's office. The Board's representative shall conduct the inspection during normal business hours. The Board's representative shall complete at least one unannounced office visit pursuant to this paragraph, additional visits shall be at the discretion of the Committee.

- b. Recordkeeping Inspection. Licensee shall cooperate with at least one unannounced office visit during normal business hours by a representative of the Board, additional visits shall be at the discretion of the Committee. The representative shall randomly select, remove, and make copies of original patient records, including radiographs, to provide to the Committee for its review of Licensee's recordkeeping practices.

7. Reimbursement of Costs. Licensee shall pay the Board the total sum of \$750 as partial reimbursement for the Board's costs in this matter. Payment shall be made by certified check, cashier's check, or money order made payable to the Minnesota Board of Dentistry at the time Licensee petitions to have the conditions removed from Licensee's license. Payment shall be delivered personally or by mail to the Minnesota Board of Dentistry, c/o

Marshall Shragg, Executive Director, 2829 University Avenue S.E., Suite 450, Minneapolis, Minnesota 55414.

8. Civil Penalty. The Board imposes a civil penalty in the amount of \$3,500 for the conduct described above. The civil penalty shall be paid by Licensee in two installment payments as follows: \$1,750 within six months of the effective date of this Order; and the balance of \$1,750 within one year of the effective date of this Order, or by the time Licensee petitions to have the conditions removed from Licensee's license, whichever occurs first. Both payments from Licensee shall be made by cashier's check or money order made payable to the Minnesota Board of Dentistry and shall be delivered personally or by mail to the Minnesota Board of Dentistry, c/o Marshall Shragg, Executive Director, 2829 University Avenue S.E., Suite 450, Minneapolis, Minnesota 55414.

9. Other Conditions.

a. Licensee shall comply with the laws or rules of the Board of Dentistry. Licensee agrees that failure to comply with the Board's laws or rules shall be a violation of this stipulation and order.

b. Licensee shall fully and promptly cooperate with the Board's reasonable requests concerning compliance with this stipulation and order, including requests for explanations, documents, office inspections, and/or appearances at conferences. Minn. R. 3100.6350 shall be applicable to such requests.

c. In Licensee's practice of dentistry, Licensee shall comply with the most current infection control requirements of Minn. R. 3100.6300 and 6950.1000 through 6950.1080, and with Centers for Disease Control and Prevention, Public Health Service, United

States Department of Health and Human Services, *Guidelines for Infection Control in Dental Health-Care Settings - 2003*, Morbidity and Mortality Weekly Report, December 19, 2003 at 1.

d. If the Board receives a complaint alleging additional misconduct or deems it necessary to evaluate Licensee's compliance with this stipulation and order, the Board's authorized representatives shall have the right to inspect Licensee's dental office(s) during normal office hours without prior notification and to select and temporarily remove original patient records for duplication. Licensee shall fully and timely cooperate with such inspections of Licensee's office and patient records.

e. In the event Licensee should leave Minnesota to reside or practice outside the state, Licensee shall notify the Board in writing of the new location within five days. Periods of residency or practice outside of Minnesota will not apply to the reduction of any period of Licensee's discipline in Minnesota unless Licensee demonstrates that practice in another state conforms completely to this stipulation and order.

E. Removal of Conditions. Licensee may petition to have the conditions removed from Licensee's license at any regularly scheduled Board meeting provided that Licensee's petition is received by the Board at least 30 days prior to the Board meeting. Licensee shall have the burden of proving that Licensee has complied with the conditions and that Licensee is qualified to practice dentistry without conditions. Licensee's compliance with the foregoing requirements shall not create a presumption that the conditions should be removed. Upon consideration of the evidence submitted by Licensee or obtained through Board investigation, the Board may remove, amend, or continue the conditions imposed by this order.

F. Fine for Violation of Order. If information or a report required by this stipulation and order is not submitted to the Board by the due date, or if Licensee otherwise violates this

stipulation and order, the Committee may fine Licensee \$100 per late report or other violation. Licensee shall pay the fine and correct the violation within five days after service on Licensee of a demand for payment and correction. If Licensee fails to do so, the Committee may impose additional fines not to exceed \$500 per violation. The total of all fines may not exceed \$5,000. Licensee waives the right to seek review of the imposition of these fines under the Administrative Procedure Act, by writ of certiorari under Minn. Stat. § 480A.06, by application to the Board, or otherwise. Neither the imposition of fines nor correction of the violation will deprive the Board of the right to impose additional discipline based on the violation.

G. Summary Suspension For Violating Order. In addition to or in lieu of the procedures described in paragraphs H. and I. below, the Committee may, if it concludes that Licensee has failed to meet the conditions of this order, immediately and summarily suspend Licensee's license to practice dentistry. The Committee's Order for Summary Suspension shall constitute a final order of the Board. The suspension is effective upon written notice by the Committee to Licensee and Licensee's attorney. Service of notice on Licensee is complete upon mailing the notice to Licensee and her attorney. Such suspension shall remain in full force and effect until Licensee meets with the Committee to discuss the bases for the summary suspension and a new order is issued by the Board.

H. Additional Discipline for Violation of Order. If Licensee violates this stipulation and order, Minn. Stat. ch. 150A, or Minn. R. ch. 3100, the Board may impose additional discipline pursuant to the following procedure:

1. The Committee shall schedule a hearing before the Board. At least ten days prior to the hearing, the Committee shall mail Licensee a notice of the violation alleged by the Committee and of the time and place of the hearing. Within seven days after the notice is

mailed, Licensee shall submit a response to the allegations. If Licensee does not submit a timely response to the Board, the allegations may be deemed admitted.

2. At the hearing before the Board, the Committee and Licensee may submit affidavits made on personal knowledge and argument based on the record in support of their positions. The evidentiary record before the Board shall be limited to such affidavits and this stipulation and order. Licensee waives a hearing before an administrative law judge and waives discovery, cross-examination of adverse witnesses, and other procedures governing administrative hearings or civil trials.

3. At the hearing, the Board will determine whether to impose additional disciplinary action, including additional conditions or a limitation on Licensee's practice, or suspension or revocation of Licensee's license.

I. Other Procedures for Resolution of Alleged Violations. Violation of this stipulation and order shall be considered a violation of Minn. Stat. § 150A.08, subd. 1(13). The Committee shall have the right to attempt to resolve an alleged violation of the stipulation and order through the procedures of Minn. Stat. § 214.103, subd. 6. Nothing herein shall limit (1) the Committee's right to initiate a proceeding against Licensee pursuant to Minn. Stat. ch. 14, or (2) the Committee's and the Board's right to temporarily suspend Licensee pursuant to Minn. Stat. § 150A.08, subd. 8, based on a violation of this stipulation and order or based on conduct of Licensee before or after the date of this stipulation which is not specifically referred to in paragraph B. above.

J. Attendance at Conferences. Licensee attended two conferences with the Committee on March 18 and April 24, 2008. The following Committee members attended both conferences: Linda Boyum, R.D.A.; Joan Sheppard, D.D.S.; Mark Harris, D.D.S.; and Kristin

Heebner, J.D. Assistant Attorney General Daphne A. Lundstrom represented the Committee at both conferences. Although Licensee was informed at the March 18, 2008 conference that she could be represented by legal counsel, Licensee knowingly and voluntarily waived that opportunity. At the April 24, 2008 conference, Licensee was represented by Gregory W. Deckert in this matter, who has advised Licensee regarding this stipulation and order.

K. 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 adequateness 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.

L. 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 section 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.

M. 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.

N. Data Classification. Under the Minnesota Data Practices Act, this stipulation and order is classified as public data. Minn. Stat. § 13.41, subd. 4. 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.

O. 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.

P. 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



JANE E. ODGERS, D.D.S.

Dated: Nov. 5, 2008

COMPLAINT COMMITTEE

By:



MARSHALL SHRAGG
Executive Director

Dated: November, 2008

ORDER

Upon consideration of the foregoing stipulation and based upon all the files, records, and proceedings herein,

The terms of the Stipulation are approved and adopted, and the recommended disciplinary action set forth in the Stipulation is hereby issued as an Order of this Board effective this 21st day of November, 2008.

MINNESOTA BOARD
OF DENTISTRY

By: Candace A Mensing D.D.S.
CANDACE A. MENSING, D.D.S.
Vice-President

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