

BEFORE THE MINNESOTA

BOARD OF DENTISTRY

In the Matter of
Kelly M. Shea, R.D.A.
Registration No. A12388

**STIPULATION TO CEASE
PRACTICING AS REGISTERED
DENTAL ASSISTANT**

The Minnesota Board of Dentistry (“Board”) received a written complaint alleging that Kelly M. Shea, R.D.A. (“Registrant”) has been discharged from a professional monitoring program based upon her voluntary withdrawal with monitoring a physical, mental, emotional, or other disability which adversely affects her ability to perform the services for which she is registered. These allegations could affect Registrant’s registration to practice as a registered dental assistant in Minnesota.

NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED by and between Registrant and the Board that:

1. During all times herein Registrant has been and is now subject to the jurisdiction of the Board from which she holds a registration to practice dental assisting.
2. On August 21, 2008, Registrant informed the Health Professionals Services Program (the “HPSP”) about her voluntary withdrawal from the program due to her bankruptcy and financial hardship. On August 26, 2008, the Board received a complaint from the HPSP informing the Board about Registrant’s discharge from the program based upon her voluntary withdrawal.
3. In her November 17, 2008, response to the Board, Registrant stated that she would like to maintain her dental assisting registration and eventually return to the HPSP for monitoring, but she is currently unemployed.

4. Registrant shall cease and desist from practicing as a registered dental assistant in any manner in the State of Minnesota and shall neither offer nor provide any registered dental assisting services within the state until this Stipulation is rescinded or modified.

5. This Stipulation will remain in effect until the Board issues a final order in this matter or the Complaint Committee initiates contested case proceedings.

6. Registrant's noncompliance and violation of this Stipulation shall be considered a violation of Minnesota Statutes section 148.261 (2006) and constitute grounds for further disciplinary action.

7. Registrant agrees that should she violate the terms of this Stipulation, the following actions may be taken:

a. The Board may, pursuant to Minnesota Statutes chapter 14 (2006) and Minnesota Rules 1400.5100 to 1400.8400 (2005), refer any alleged violation to the Office of Administrative Hearings.

b. Should a violation be alleged, Registrant agrees that the issue before the administrative law judge may be limited as to whether a violation did in fact occur and whether there was sufficient or reasonable cause to excuse such violation. If the administrative law judge finds that there has been a violation and there is not sufficient or reasonable cause to excuse such, he or she may make a recommendation of discipline.

c. Registrant agrees that, in the event the Board receives findings of the administrative law judge that there has been a violation of this Stipulation, the Board may order a suspension or revocation of Registrant's registration to practice dental assisting or such lesser action or remedy as the Board deems appropriate.

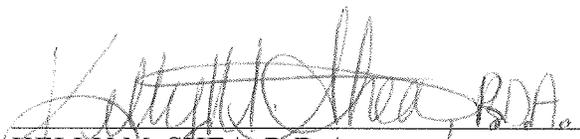
d. Upon application of the Board, any appropriate court may enter a decree enforcing the terms of this Stipulation and prohibiting Registrant from practicing as a registered dental assistant until and unless the conditions of this Stipulation are fulfilled.

8. This Stipulation shall be classified as public data for purposes of Minnesota Statutes sections 13.02, subdivision 15, and 13.41, subdivision 5 (2006). Data regarding this action will be provided to data banks as required by Federal law or consistent with Board policy.

9. Having been duly advised of her right to counsel, Registrant acknowledges that she has read this Stipulation, understands the terms and conditions as set forth herein, and has freely and voluntarily signed this Stipulation.

10. This Stipulation contains the entire agreement between the Board and Registrant, there being no agreement of any kind, verbal or otherwise, which varies this Stipulation.

MINNESOTA BOARD
OF DENTISTRY


KELLY M. SHEA, R.D.A.
Registrant

Dated: January 20th, 2009


MARSHALL SHRAGG
Executive Director

Dated: January 27th, 2009