**BEFORE THE MINNESOTA**

**BOARD OF DENTISTRY**

In the Matter of
Gwendolyn Timberlake, D.D.S.
License No. D8800

**STIPULATION AND ORDER FOR STAYED SUSPENSION**

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 Gwendolyn Timberlake, D.D.S. ("Licensee"). The Board's Complaint Committee ("Committee") reviewed the complaint(s) and referred the matter to the Minnesota Attorney General's Office for investigation on more than one occasion. Following the investigations, the Committee held a number of conferences with Licensee. Currently, Licensee is subject to a Stipulation and Order for Conditional License. Among other things, the Order required Licensee to submit to an office inspection by a Board representative to review Licensee's patient records and the safety/sanitary conditions of her office. In December 2006, an inspection was conducted and a report was submitted to the Committee. Subsequently, the Committee received another complaint against Licensee alleging fraud. On March 9, 2007, the Committee met with Licensee to discuss the inspection report and the latest complaint. As a result, 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 she 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:

### Background

1. On January 14, 2000, Licensee entered into an Agreement for Corrective Action ("2000 ACA") with the Committee. It was based on Licensee's failure to maintain adequate safety and sanitary conditions for a dental office and her failure to make and maintain adequate patient records. Among other things, the 2000 ACA required Licensee to submit to at least one unannounced office inspection by a Board representative to review Licensee's patient records and the safety/sanitary conditions of her office. This was conducted on January 4, 2002.

2. In the meantime, the Board received additional complaints against Licensee again alleging substandard infection control and recordkeeping. On July 26, 2002, the Committee met with Licensee to discuss the inspection report and new complaints. On September 17, 2002, Licensee entered into an Amended Agreement for Corrective Action ("2002 Amended ACA") which replaced her 2000 ACA. It was based upon inadequate infection control, recordkeeping and diagnostic technique, and lack of knowledge regarding crown and bridge retention.

3. In June and July 2003 and May 2004, the Committee received additional complaint(s) against Licensee which it referred to the Minnesota Attorney General's Office for investigation. Following the investigation, the Committee held a conference with Licensee to discuss the investigative report and new complaints on October 15, 2004. During the conference, the Committee also found that Licensee had failed to complete the coursework requirements of her 2002 Amended ACA within one year of the effective date of the 2002 Amended ACA. Licensee did inform the Committee that she had taken some of the required course hours through home study courses. However, it was determined by the Committee that Licensee failed to fulfill the course hour requirements, failed to obtain pre-approval from the Committee for any of the courses taken, and failed to take requisite non-home study courses.

4. On November 19, 2004, the Board adopted a Stipulation and Order for Conditional License ("2004 Order") that placed conditions on Licensee's license to practice dentistry in the State of Minnesota. The 2004 Order addressed the following issues: unprofessional conduct; improper billing; substandard prosthodontic treatment; substandard periodontal treatment; inadequate infection control; and substandard recordkeeping. Among other things, the 2004 Order required Licensee to submit to at least one unannounced office inspection by a Board representative to review Licensee's patient records and the safety/sanitary conditions of her office. On December 14, 2006, an office inspection was conducted and a report was submitted to the Committee. Licensee is currently subject to the 2004 Order.

5. On December 22, 2006, the Board received another complaint against Licensee alleging fraud and forwarded it to the Committee. Licensee was notified of the complaint and submitted her response to the allegations to the Committee.

6. On March 9, 2007, the Committee held a conference with Licensee to discuss the following issues indicated below.

**Substandard Infection Control**

7. Licensee failed to maintain adequate safety and sanitary conditions for a dental office. Licensee also failed to comply with the most current infection control recommendations and guidelines of the Centers for Disease Control (CDC), as described below:

a. Licensee failed to properly perform weekly biological monitoring (spore testing) of her autoclave and maintain monitoring records. Licensee placed a spore test ampule into the autoclave load on a weekly basis. However, after autoclaving the load, Licensee failed to incubate the spore test ampule upon removal to provide evidence of the sterility of the autoclave load. In addition, Licensee failed to maintain biological monitoring records showing the results of her spore testing.

b. Licensee failed to properly bag and sterilize all instruments and dental items in operatory rooms including dental instruments and the nosepiece for the nitrous oxide unit.

c. Licensee failed to follow proper procedures when utilizing the cold sterilizing/disinfecting solutions in her dental office when she failed to completely immerse contaminated dental items into the solution.

d. Licensee failed to comply with work-practice controls for the sharps container when she overfilled the container causing sharp items to protrude out the opening creating a potential handling injury and left the container uncovered.

e. Licensee failed to maintain a first aid kit and direct access to emergency resuscitation equipment in her dental office. Licensee's first aid kit failed to contain

a syringe for administering the drug, epinephrine. Licensee also failed to properly monitor the expirations dates on medications contained within her first aid kit. In addition, Licensee failed to maintain direct access to her portable oxygen tank, if an emergency situation should occur, by storing the portable tank in a remote area in her dental office.

f. Licensee failed to properly equip the nitrous oxide/oxygen unit in her office with a positive pressure oxygen delivery system for use in emergency situations.

g. Licensee failed to adequately maintain the general housekeeping requirement throughout passageways, storerooms, laboratory areas, and operatory rooms in her dental office when she failed to keep these areas clean and orderly and in a sanitary condition. Specifically, Licensee's office exhibited the following: an inappropriate amount of clutter on working surfaces, in drawers and cupboards, and on the floor; an operatory sink that appears stained/dirty; dusty plastic barrier on nitrous unit; residue on ultrasonic cover; x-ray processing area unclean; residue on storage room floor; dirty operatory drawer liner; and curing light handle appears unclean.

**Substandard Diagnostic / Treatment Planning / Operative Care / Recordkeeping**

8. Licensee failed to properly document and/or provide appropriate diagnostic care, formulate appropriate treatment plans, and provide adequate operative care when providing dental treatment to one or more of her patients. Examples include the following:

a. From 2002 to 2006 for patient 1, Licensee failed to document and/or provide a diagnosis, a treatment plan, and provide adequate operative care, as follows:

1) Licensee failed to document and/or diagnose radiolucent areas of decay on the mesial aspects of teeth #2 and #15, the mesial and distal aspects of tooth #30,

and the mesial aspect of tooth #31, as seen on the January 18, 2002 and November 8, 2005 bitewing radiographs, and the February 17, 2004 periapical radiograph.

2) Licensee failed to formulate a written/dated treatment plan prior to providing any dental treatment and update the plan reflecting the current status of patient 1's oral health and treatment.

3) By February 2004, tooth #30 for patient 1 needed endodontic treatment along with a crown which appears to have deficiencies in the crown margin that was placed by Licensee in 2005. For patient 1, Licensee also failed to provide operative treatment, an MO amalgam restoration, on tooth #15 in a timely manner until December 2006. As of December 12, 2006, the final entry in patient 1's progress notes, Licensee had not provided operative treatment to teeth #2 and #31.

b. From 2004 to 2006, Licensee saw patient 2 on a regular basis taking radiographs and performing various other dental treatment including extractions and prosthodontic treatment (dentures). However, Licensee failed to document and/or provide a diagnosis for the treatment provided for each tooth and a periodontal assessment for patient 2. Licensee also failed to formulate a written/dated treatment plan prior to providing any dental treatment and update the plan reflecting the current status of patient 2's oral health and treatment.

c. From 2004 to 2006 for patient 3, Licensee failed to document and/or provide a diagnosis, a treatment plan, and provide adequate operative care, as follows:

1) Licensee failed to document and/or diagnose radiolucent areas of decay on the mesial aspects of teeth #6, #11, #28 and #31, on the distal aspects of teeth #21 and #27, and the mesial and distal aspects of tooth #5, as seen on the August 19, 2003 full mouth radiographs and undated radiographs.

2) Licensee failed to formulate a written/dated treatment plan prior to providing any dental treatment and update the plan reflecting the current status of patient 3's oral health and treatment.

3) In 2004 and 2005, Licensee placed restorations in teeth #5, #6, #21, and #28 for patient 3. Licensee also placed a restoration in tooth #11, but not until September 2006. As of November 11, 2006, the final entry in patient 3's progress notes, Licensee had not provided operative treatment to teeth #27 and #31.

d. From 2004 to 2006, Licensee saw patient 4 on a regular basis providing examinations, taking radiographs, and performing various other dental treatment including operative restorations. However, Licensee failed to document and/or provide a diagnosis for the treatment provided for each tooth for patient 4. Licensee also failed to formulate a written/dated treatment plan prior to providing any dental treatment and update the plan reflecting the current status of patient 4's oral health and treatment.

e. During the Board's December 14, 2006 inspection of Licensee's office, Licensee indicated to the Board's representative that she is not wearing her prescription eyeglasses when performing treatment on patients which is of concern to the Committee.

**Substandard Periodontal Care / Recordkeeping**

9. Licensee failed to document pertinent information and/or provide appropriate periodontal care to patient 3. From 2004 to 2006, Licensee saw patient 3 on a regular basis providing an examination, prophylaxis, and taking radiographs [non-diagnostic quality radiographs]. However, Licensee failed to document and/or provide adequate periodontal care on patient 3 including: a full mouth chart of periodontal probing; further

assessment of the status of the patient's periodontal health; adequate radiographs for periodontal diagnosis; and a referral to a periodontist.

**Substandard Radiographic Diagnosis**

10. Licensee failed to consistently take acceptable diagnostic radiographs to make a proper diagnosis regarding dental treatment for patients 1, 2, 3, and 4. Licensee did obtain radiographs on patients 1, 2, 3, and 4; however, most of the radiographs were insufficient for diagnostic purposes, being of poor quality and non-diagnostic quality due to cone cutting, overexposure, and other improper practices. Licensee failed to have radiographs retaken for diagnostic purposes.

**Unprofessional Conduct and Fraud**

11. Licensee engaged in unprofessional conduct and perpetrated fraud upon patients, third-party payers, or others relating to the practice of dentistry when she knowingly issued a check from an inactive checking account to a dental laboratory as payment for services rendered, as follows:

a. In September 2002, Dental Arts Laboratory, Inc. ("DAL") located in the State of Illinois claims that Licensee was placed on cash-on-delivery ("COD") status because of a previous debt owed to DAL.

b. On November 29, 2006, DAL received two separate checks as payment from Licensee after sending two separate laboratory cases through a delivery service to her. Licensee's checks were written for the following amounts: $62 and $556. However, Licensee's checks to DAL were from a checking account which has been inactive since December 2005.

c. In her response to the Committee's December 28, 2006 letter of inquiry, Licensee admitted that she had sent checks to DAL from a non-existing account. Licensee stated that in the past she had an understanding with a certain employee at DAL to hold her checks, and then she would promptly send the money. Licensee emphasized that she would pay the account.

**Additional Substandard Recordkeeping**

12. Licensee failed to make or maintain adequate dental records on her patients. Examples include the following:

a. Licensee failed to obtain the name and phone number of the emergency contact person for patients 1 through 6.

b. Licensee failed to document the patient's updated medical history on a consistent basis for patients 1 through 4.

c. Licensee failed to properly document a complete record of the patient's existing oral health status including but not limited to dental caries, missing or unerupted teeth, restorations, and periodontal conditions for patients 1 through 6.

d. Licensee failed to document her diagnoses for dental treatment for patients 1 through 4 and 6, and document her rationale for referring patient 5 to an oral surgeon.

e. Licensee failed to document appropriate treatment plans for providing dental treatment for patients 1 through 6.

f. Licensee failed to obtain the patient's informed consent for each specific treatment provided prior to performing dental services for patients 1 through 6. Licensee only uses a general informed consent form when providing treatment to patients.

g. Licensee failed to consistently document all medications used and all materials placed during treatment procedures for patients 1 through 4 and 6 including, but not limited to: the type and amount of local anesthetic administered, prescribed medications, and all dental materials used in dental procedures.

h. Licensee failed to properly document and/or improperly billed patient 6 for dental services indicated in the patient's billing history which failed to correspond with the patient's progress notes. In addition, Licensee failed to properly document in patient 6's progress notes the specific teeth to be extracted by the oral surgeon.

C. Violations. Licensee admits that the facts and conduct specified above constitute violations of Minn. Stat. §150A.08, subd. 1(6) and Minn. R. 3100.6200 A (personal conduct which brings discredit to the profession of dentistry); Minn. Stat. § 150A.08, subd. 1(6) and Minn. R. 3100.6200 B (repeated performance of dental treatment which falls below accepted standards); Minn. Stat. §150A.08, subd. 1(6) and Minn. R. 3100.6200 I (fraud upon a patient, third party payer, or others relating to the practice of dentistry); Minn. Stat. § 150A.08, subd. 1(10) and Minn. R. 3100.6200 K and 3100.6300 (failure to maintain adequate safety and sanitary conditions for a dental office); Minn. R. 3100.9600 (failure to make or maintain adequate 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 as follows:

1. Stayed Suspension. Licensee's license to practice dentistry in the State of Minnesota is hereby **SUSPENDED**. The suspension is **STAYED** conditioned on Licensee's compliance with all of the conditions set forth in paragraph E below. When Licensee has complied with all of the conditions in paragraph E below, Licensee may petition to have the

stayed suspension removed from Licensee's license pursuant to paragraph F of this stipulation and order.

E. Conditions of Stayed Suspension. Licensee shall comply with the following terms, conditions, and requirements. None of the consultative services or 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.

1. Infection Control Consultant. **(Must be pre-approved by the Committee)** Within 30 days of the effective date of this order, Licensee shall hire a board-approved infection control consultant for an evaluation involving consultative and inspection services specifically for her dental office. Licensee must provide to the consultant a copy of this stipulation and order prior to receiving an evaluation. Within 14 days of the completion of the evaluation, Licensee shall cause the consultant to provide to the Committee a detailed written report of the evaluation and compliance recommendations. Licensee shall bear the costs of this evaluation, the preparation of the report, and compliance with any infection control recommendations. Within 30 days of the consultant's report, Licensee shall comply with the consultant's recommendations and submit a written report to the Committee that indicates the changes relative to infection control that Licensee has made in her dental office.

2. Infection Control Inspection. Following the requirements of paragraph E.1. above, 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.

3. Eye Care Examination. Within 30 days of the effective date of this order, Licensee shall complete and submit to the Committee the results of an eye care examination conducted by a licensed optician (Doctor of Optometry or an Optometrist). Licensee shall obtain corrective lenses if so indicated by the licensed optician and shall submit proof of such to the Committee.

4. Payment to Laboratory. Within 30 days of the effective date of this order, Licensee shall submit full payment to Dental Arts Laboratory, Inc. for previous dental laboratory services rendered to her. Within 14 days thereafter, Licensee shall submit to the Committee a receipt of such payment to Dental Arts Laboratory, Inc. indicating that her account has been paid in full with Dental Arts Laboratory, Inc.

5. Coursework. Licensee shall successfully complete the coursework described below. **All coursework must be approved in advance by the Committee.** None of the coursework may be home study. Licensee is responsible for locating, registering for, and paying for all coursework taken pursuant to this stipulation and order. If Licensee attends an undergraduate or graduate dental school course, 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. The coursework is as follows:

a. Radiology. Within six months of the effective date of this order, Licensee shall successfully complete six hours of one-on-one instruction offered by a dental professional regarding dental radiographs focusing on diagnosis, technique, and interpretation relative to dental treatment.

b. Treatment Planning / Recordkeeping. Within six months of the effective date of this order, Licensee shall personally attend and successfully complete the treatment planning / recordkeeping course entitled "Dental Patient Management: Dental Records and Treatment Planning Fundamentals" offered by Dr. Riley Nelson at the University of Minnesota School of Dentistry or an equivalent course.

6. Written Reports. Licensee shall submit or cause to be submitted to the Board the reports described below. All reports are subject to approval by the Committee:

a. Reports on All Coursework. Within 30 days of completing any coursework, Licensee shall submit to the Board (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 report 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.

7. 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 and dental care.

8. 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. 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.

d. 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.

F. Removal of Stayed Suspension. Licensee may petition to have the stayed suspension removed from Licensee's license at any regularly scheduled Board meeting after Licensee has complied with all the conditions of his stayed suspension, 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 of this stipulation and order and that Licensee is qualified to practice without a stayed suspension. Licensee's compliance with the foregoing requirements shall not create a presumption that the stayed suspension should be removed. Upon consideration of the evidence submitted by Licensee or obtained through Board investigation, the Board may remove, amend, or continue the stayed suspension imposed by this order.

G. 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.

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 limitations 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 Conference. Licensee attended a conference with the Committee on March 9, 2007. The following Committee members attended the conference: Ronald King, D.D.S.; Nadene Bunge, D.H.; and Candace Mensing, D.D.S. Assistant Attorney General Tamar

N. Gronvall represented the Committee at the conference. Although Licensee was informed in the Notice of Conference that she could be represented by legal counsel, Licensee has voluntarily and knowingly waived legal representation.

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 | | COMPLAINT COMMITTEE |
|---|---|---|
| GWENDOLYN TIMBERLAKE, D.D.S. | By: | MARSHALL SHRAGG<br>Executive Director |
| Dated: 5-17-07, 2007 | | Dated: May 18th, 2007 |

## 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; the recommended disciplinary action set forth in the stipulation is hereby issued as an order of this Board effective this 15th day of June, 2007.

MINNESOTA BOARD
OF DENTISTRY

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