

BEFORE THE MINNESOTA

BOARD OF DENTISTRY

In the Matter of
Dennis R. Trampe, D.D.S.
License No. D6605

**STIPULATION AND
ORDER FOR 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's Office for investigation, and to take disciplinary action when appropriate.

The Board received a complaint against Dennis R. Trampe, D.D.S. ("Licensee"). The Board's Complaint Committee ("Committee") reviewed the complaint, records related to the complaint, and Licensee's written response. Following a conference with Licensee, 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 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. On February 15, 2005, the Board received a complaint alleging that Licensee's ability to practice dentistry has been impaired due to emotional/mental health and chemical dependency issues. The Committee asked the Licensee to contact the Health Professionals Services Program ("HPSP").
2. On February 16, 2005, HPSP discussed the matter with Licensee. He told HPSP that he was not abusing alcohol or other drugs and may suffer from depression. He agreed to undergo a psychiatric evaluation for depression and substance abuse.
3. On April 16, 2005 HPSP staff spoke with Licensee who told them he was no longer interested in a psychiatric evaluation; he was feeling better. He had seen his primary care physician who had prescribed an antidepressant for Licensee.
4. Licensee voluntarily withdrew from the HPSP program and was discharged. HPSP notified the Committee that Licensee had voluntarily withdrawn. By a letter dated June 3, 2005, the Committee referred the Licensee back to HPSP.
5. On July 7, 2005, Licensee was evaluated by a psychiatrist for depression and substance abuse. Based on Licensee's history and current status, the psychiatrist recommended that Licensee participate in an outpatient chemical dependency program and on-going therapy.
6. On July 22, 2005, HPSP sent Licensee a Participation Agreement and Monitoring Plan which required, among other things, that Licensee successfully complete outpatient chemical dependency treatment, abstain from the use of alcohol and all mood-altering chemicals, obtain a work site monitor, submit to toxicology screens, and meet with a therapist, psychiatrist and physician as indicated. On the same date, the Committee met with Licensee in

an informational conference to discuss Licensee's participation with HPSP and his failure to meet professional development requirements for maintaining his license.

7. On August 17, 2005, at Licensee's request HPSP sent him a second copy of his Participation Agreement and Monitoring Plan. He failed to sign and return it by the August 24, 2005 deadline and was again discharged from HPSP.

8. On August 25, 2005, HPSP discharged Licensee due to his non-cooperation of failing to return the Participation Agreement / Monitoring Plan to HPSP by the deadline date.

The parties wish to resolve this matter without the necessity and expense of further proceedings by entering into this Stipulation.

C. Violations. Licensee admits the facts and conduct specified above constitute violations of Minn. Stat. § 150A.08, subd. 1(8), Minn. R. 3100.6200 J and 3100.6350, and are 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 the date of the order, Licensee's license to practice dentistry in the State of Minnesota is terminated. Within ten days of the date the order is adopted by the Board, 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. 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 30 days after the date of this order, 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. Within 30 days after the date of this order, 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. Minnesota Rule 3100.1850 does not apply to an application for relicensure following the issuance of a stipulation and order for voluntary surrender of license. Along with Licensee's application for relicensure, Licensee must submit proof that, after the effective date of the Board's order, Licensee has completed the following:

1. One year of uninterrupted sobriety.
2. An approved relapse treatment program.
3. Compliance with all aftercare recommendations and/or requirements, such as attendance at meetings of support groups such as Alcoholics Anonymous.
4. Paid applicable licensure and late fees.
5. Completed the Professional Development requirements for his Professional Development cycle.

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 Licensee's application and fitness 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 July 22, 2005. The following Committee members attended the conference: Freeman Rosenblum, D.D.S., Ron King, D.D.S., and Nadene Bunge, D.H. 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.

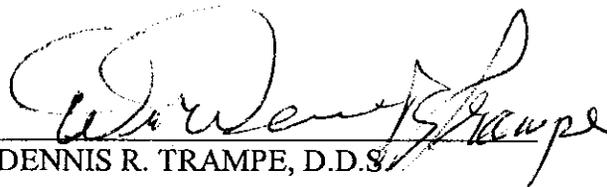
M. Data Classification. Under the Minnesota Data Practices Act, this stipulation and order is classified as public data. Minn. Stat. § 13.41, subd. 5. All documents in the record shall maintain the data classification to which they are entitled under the Minnesota Government Data Practices Act, Minn. 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.

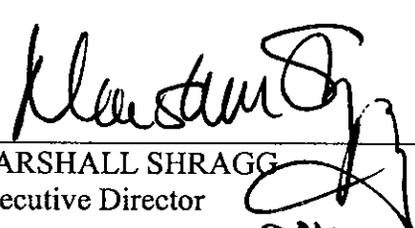
N. Entire Agreement. Licensee has read, understood, and agreed to this stipulation and is freely and voluntarily signing it. This stipulation contains the entire agreement between the parties hereto. Licensee is not relying on any other agreement or representations of any kind, verbal or otherwise.

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

COMPLAINT COMMITTEE


By: _____
DENNIS R. TRAMPE, D.D.S.


By: _____
MARSHALL SHRAGG
Executive Director

Dated: 20 Sept., 2005

Dated: October 12, 2005

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 18th day of November, 2005.

MINNESOTA BOARD
OF DENTISTRY

By: Linda K. Boyum RDA
LINDA BOYUM, R.D.A.
President