

**BEFORE THE MINNESOTA**

**BOARD OF DENTISTRY**

In the Matter of  
Laurie M. Jones, R.D.A.  
Registration No. A 6445

**STIPULATION AND  
CONSENT ORDER**

**STIPULATION**

Laurie M. Jones, R.D.A. (“Registrant”) and the Minnesota Board of Dentistry’s Complaint Committee (“Committee”) composed of Board members Linda Boyum, R.D.A., Joan Sheppard, D.D.S., Mark Harris, D.D.S., and Kristin Heebner, J.D., agree the above-referenced matter may be resolved without trial of any issue or fact as follows:

**I.**

**JURISDICTION**

1. The Minnesota Board of Dentistry (“Board”) is authorized pursuant to Minn. Stat. ch. 150A, § 214.10, and § 214.103 to register and regulate dental assistants and to take disciplinary action when appropriate.

2. Registrant holds a registration to practice dental assisting 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 and Consent Order.

**II.**

**BACKGROUND**

3. By letter dated May 1, 2008, the Board requested Registrant’s written response to allegations regarding a criminal complaint that was filed against Registrant with felony charges. On May 13, 2008, the Board received Registrant’s written response from her attorney, Andrew S. Birrell. Following a thorough review of all available information, the Committee determined the matter could be resolved by mail with a Stipulation and Consent Order for a reprimand and civil penalty.

4. Registrant has retained Andrew S. Birrell, Esq. of Birrell & Newmark, Ltd., 333 South Seventh Street, Suite 3020, Minneapolis, Minnesota 55402. Daphne A. Lundstrom, Assistant Attorney General, represents the Committee in this matter.

### **III.**

#### **FACTS**

5. The parties agree this Stipulation and Consent Order is based upon the following facts:

##### **Admission of Guilt to Felony Charge**

a. On July 20, 2007, a criminal complaint was filed against Registrant in Hennepin County District Court charging her with six counts of theft by swindle. The charges were based upon an investigation conducted by the Brooklyn Park Police Department concerning Registrant, the Assistant Gambling Manager employed by Brooklyn Park Youth Hockey Association (“the association”), who was responsible for overseeing the association’s pull-tab fundraising. From 2004 to 2006, Registrant stole more than \$35,000 from the fundraising proceeds and altered records to conceal her embezzlement.

b. On May 9, 2008, before the Hennepin County District Court, State of Minnesota, Registrant pled guilty to a felony charge of one count of “Theft by Swindle Over \$35,000,” and the remaining five counts were dismissed. The judge sentenced Registrant to pay a fine of \$50 which was suspended, and commit to 51 months in the custody of the Commissioner of Corrections which was stayed for five years based on the following conditions: (a) serve 365 days in the Hennepin County Adult Corrections Facility (workhouse); (b) pay restitution as determined by the court; and (c) comply with the requirements of the probation office.

### **IV.**

#### **LAWS**

6. Registrant acknowledges the conduct described in section III. above constitutes a violation of Minn. Stat. §150A.08, subd. 1(3) (conviction, including a finding or verdict of guilt,

an admission of guilt, or a no contest plea, in any court of an offense involving moral turpitude as evidenced by a certified copy of the conviction) and justifies the disciplinary action described in section V. below.

**V.**

**DISCIPLINARY ACTION**

7. The parties agree the Board may take the following disciplinary action and require compliance with the following terms:

The Board **REPRIMANDS** Registrant and imposes a **CIVIL PENALTY** in the amount of \$250 for the conduct described in section III. above. The civil penalty shall be paid 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, within 90 days of the date of this order.

**VI.**

**CONSEQUENCES FOR NONCOMPLIANCE OR ADDITIONAL VIOLATIONS**

8. It is Registrant's responsibility to ensure that payment of the civil penalty is submitted to the Board on or before the due date. Failure to submit payment of the civil penalty on or before the due date is a violation of this Stipulation and Consent Order.

9. If Registrant fails to comply with or violates this Stipulation and Consent Order or it is determined Registrant has further violated Minnesota Statutes chapter 150A or Minnesota Rules chapter 3100, the Committee may, in its discretion, seek additional discipline either by initiating a contested case proceeding pursuant to Minnesota Statutes chapter 14 or by bringing the matter directly to the Board pursuant to the following procedure:

a. The Committee shall schedule a hearing before the Board. At least ten days prior to the hearing, the Committee shall mail Registrant a notice of the violation(s) alleged by the Committee. In addition, the notice shall designate the time and place of the hearing. Within seven days after the notice is mailed, Registrant shall submit a written response to the

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

b. The Committee, in its discretion, may schedule a conference with the Registrant prior to the hearing before the Board to discuss the allegations and to attempt to resolve the allegations through the procedures of Minnesota Statutes Section 214.103, subdivision 6.

c. Prior to the hearing before the Board, the Committee and Registrant may submit affidavits and written argument in support of their positions. At the hearing, the Committee and Registrant may present oral argument. Argument shall not refer to matters outside the record. The evidentiary record shall be limited to the affidavits submitted prior to the hearing and this Stipulation and Consent Order. The Committee shall have the burden of proving by a preponderance of the evidence that a violation has occurred. If Registrant has failed to submit a timely response to the allegations, Registrant may not contest the allegations, but may present argument concerning the appropriateness of additional discipline. Registrant waives a hearing before an administrative law judge, discovery, cross-examination of adverse witnesses, and other procedures governing hearings pursuant to Minnesota Statutes chapter 14.

d. Registrant's correction of a violation prior to the conference, hearing or meeting of the Board may be taken into account by the Board but shall not limit the Board's authority to impose discipline for the violation. A decision by the Committee not to seek discipline when it first learns of a violation will not waive the Committee's right to later seek discipline for that violation, either alone or in combination with other violations, at any time while this order is in effect.

e. Following the hearing, the Board will deliberate confidentially. If the allegations are not proved, the Board will dismiss the allegations. If a violation is proved, the Board may impose additional discipline, including additional conditions or limitations on Registrant's practice, suspension, or revocation of Registrant's registration.

f. Nothing herein shall limit the Committee's or the Board's right to temporarily suspend Registrant's registration pursuant to Minnesota Statutes Section 150A.08, subdivision 8, based on a violation of this Stipulation and Consent Order or based on conduct of Registrant not specifically referred to herein.

## **VII.**

### **ADDITIONAL INFORMATION**

10. Within ten days of execution of this Stipulation and Consent Order, Registrant shall provide the Board with the names of all states in which Registrant is registered to practice dental assisting or holds any other professional or occupational license or registration.

11. Registrant waives the contested case hearing and all other procedures before the Board to which Registrant may be entitled under the Minnesota and United States constitutions, statutes, or rules.

12. Registrant waives any claims against the Board, the Minnesota Attorney General, the State of Minnesota, and their agents, employees, and representatives related to the investigation of the conduct herein, or the negotiation or execution of this Stipulation and Consent Order, which may otherwise be available to Registrant.

13. This Stipulation and Consent Order, the files, records, and proceedings associated with this matter shall constitute the entire record and may be reviewed by the Board in its consideration of this matter.

14. Either party may seek enforcement of this Stipulation and Consent Order in any appropriate civil court.

15. Registrant has read, understands, and agrees to this Stipulation and Consent Order and has voluntarily signed the Stipulation and Consent Order. Registrant is aware this Stipulation and Consent Order must be approved by the Board before it goes into effect. The Board may approve the Stipulation and Consent Order as proposed, approve it subject to specified change, or reject it. If the changes are acceptable to Registrant, the Stipulation and Consent Order will take effect and the order as modified will be issued. If the changes are

unacceptable to Registrant or the Board rejects the Stipulation and Consent Order, it will be of no effect except as specified in the following paragraph.

16. Registrant agrees that if the Board rejects this Stipulation and Consent Order or a lesser remedy than indicated in this settlement, and this case comes again before the Board, Registrant will assert no claim that the Board was prejudiced by its review and discussion of this Stipulation and Consent Order or of any records relating to it.

17. This Stipulation and Consent Order shall not limit the Board's authority to proceed against Registrant by initiating a contested case hearing or by other appropriate means on the basis of any act, conduct, or admission of Registrant which constitutes grounds for disciplinary action and which is not directly related to the specific facts and circumstances set forth in this document.

**VIII.**

**DATA PRACTICES NOTICES**

18. This Stipulation and Consent Order constitutes disciplinary action by the Board and is classified as public data pursuant to Minnesota Statutes section 13.41, subdivision 5. Data regarding this action will be provided to data banks as required by Federal law or consistent with Board policy. While this Stipulation and Consent Order is in effect, information obtained by the Board pursuant to this Order is considered active investigative data on a licensed health professional, and as such, is classified as confidential data pursuant to Minnesota Statutes section 13.41, subdivision 4.

19. This Stipulation contains the entire agreement between the parties, there being no other agreement of any kind, verbal or otherwise, which varies this Stipulation.

REGISTRANT

Laurie M. Jones R.D.A. By: LAURIE M. JONES, R.D.A.

Dated: 11-19, 2008

COMPLAINT COMMITTEE

Marshall Shragg  
MARSHALL SHRAGG  
Executive Director

Dated: November 20<sup>08</sup>, 2008

**ORDER**

Upon consideration of this Stipulation, the Board issues Registrant a **REPRIMAND** and **CIVIL PENALTY** and adopts all of the terms described above on this 21<sup>st</sup> day of November, 2008.

MINNESOTA BOARD  
OF DENTISTRY

By: *Candace A. Mensing* 11/21/08  
CANDACE MENSING, D.D.S.  
Vice President