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KANSAS DENTAL BOARD

BEFORE THE KANSAS DENTAL BOARD

In The Matter Of)
)
Brian H. Jenkins, D.D.S.)
License No. 7100)
_____)

Case No. 1567-01

MODIFICATION OF BOARD ORDER – MAY WORK FOR DR. BOE

The Board issued a Final Order on October 4, 2007 in which the licensee was granted a suspended license. The suspension was lifted on March 7, 2008 and his practice was limited to practicing dentistry at GraceMed Health Clinic in Wichita, Kansas until further order of the Board. On October 30, 2009, the Board considered Licensee's request to modify his Order to all allow him to become employed by another Kansas licensee, Dr. Irwin Boe. Subsequently, the Board issued an order denying that request. The findings and conclusions contained in the Board's prior orders are incorporated herein by reference.

On November 20, 2009, the Board heard Dr. Jenkins' request for reconsideration of the order denying his request to be employed by Dr. Boe. Based upon the testimony of Dr. Jenkins and after reviewing a proposed employment contract between Dr. Jenkins and Dr. Boe, the Board makes the following findings and conclusions:

1. Dr. Jenkins was terminated on November 10, 2009 from his position with the GraceMed Clinic.
2. The proposed employment arrangement between Dr. Boe and Dr. Jenkins has been revised so that Dr. Jenkins will be paid a straight salary and his compensation and benefits will not be related in any way to his fee production.
3. Dr. Boe has committed to supervising Dr. Jenkins and making quarterly reports to the Board.

Based upon the foregoing findings, the Board concludes that Dr. Jenkins should be and is hereby permitted to become an employee of Dr. Boe under the terms of the employment contract provided to the Board on November 20, 2009. The permission for Dr. Jenkins to become an employee of Dr. Boe, under the stated conditions, is wholly contingent upon Dr. Jenkins remaining in compliance with the HAPN Program he entered into through the Kansas Dental Impaired Provider Program and Dr. Boe timely providing the quarterly supervisor's reports to the Board.

Within fifteen (15) days after service of this Final Agency Order, either party may file a petition for reconsideration pursuant to K.S.A. 77-529.

Within the time limits established in K.S.A. 77-613, either party may seek judicial review of this Order, pursuant to said statute. The agency officer designated to receive service of a petition for judicial review is:

Betty Wright
Executive Director
Kansas Dental Board
900 SW Jackson, Room 564-S
Topeka, KS 66612

ENTERED AND EFFECTIVE this 25th day of November, 2009.

KANSAS DENTAL BOARD

By: Richard Damall
Dr. Richard Damall, DDS, President

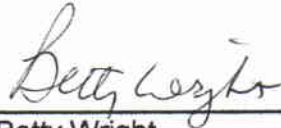
CERTIFICATE OF SERVICE

I hereby certify that I did, on the 25th day of November, 2009, deposit in the United States mail, postage prepaid, certified return receipt requested, a copy of the foregoing Modification of Board Order, properly addressed to the following:

Brian H. Jenkins, DDS
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Betty Wright
Executive Director
Kansas Dental Board