

BEFORE THE KANSAS DENTAL BOARD

FILED
DEC - 3 2007
KANSAS DENTAL BOARD

In the Matter Of)
)
ERIC N. YOUVAN, D.D.S.)
License No. 6972)

Case No. 06-1830-6972
06-81

EMERGENCY AGENCY ORDER

Eric N. Youvan, D.D.S. (the "Respondent") is currently authorized to practice dentistry in the State of Kansas by reason of the Kansas Dental Board (the "Board") having issued him License No. 6972.

It has come to the attention of the Board's Investigation Member that the Respondent has failed to comply with the Board's Order to fully cooperate with the recommendations and requirements of the persons managing and implementing the Kansas Dental Impaired Provider Program and the recommendations and requirements of the persons managing and implementing the evaluation and treatment programs recommended or required by the Kansas Dental Impaired Provider Program.

After considering the foregoing, the Board's Investigative Member, in accordance with the authority granted to him by the Board, enters the following Emergency Agency Order, pursuant to K.S.A. 77-536 and K.S.A. 65-1449.

I. FINDINGS OF FACT

For purposes of this order, the Board's Investigation Member makes the following findings of fact:

1. The Board has previously issued Respondent license number 6972, which entitled him to practice dentistry in the State of Kansas ("Respondent's License").
2. On or about June 22, 2007, the Board entered a Stipulation and Final Agency Order whereby Respondent agreed and the Board ordered that, if the Respondent was not a party

to an agreement with the Kansas Dental Impaired Provider Program, Respondent would immediately enter into an agreement. The Board further ordered that Respondent fully cooperate with the recommendations and requirements of the persons managing and implementing the Kansas Dental Impaired Provider Program, the recommendations and requirements of the persons managing and implementing the evaluation and treatment programs recommended or required by the Kansas Dental Impaired Provider Program and the further requirements of the Board. Additionally, the Board ordered that Respondent shall, at all times, be in full compliance with the requirements of the Kansas Dental Impaired Provider Program. (A true and correct copy of the Stipulation and Final Agency Order is attached hereto and incorporated herein as Exhibit A).

3. The Heart of American Professional Network ("HAPN") is the entity that contracts to implement the evaluation, treatment, and monitoring functions of the Kansas Dental Impaired Provider Program.

4. Respondent entered into an agreement with HAPN for a substance abuse problem. Continued compliance with the requirements of the HAPN agreement and recovery requirements was essential to the Respondent being able to practice dentistry safely.

5. By letter dated November 20, 2007, HAPN notified Respondent that his case was closed for non-compliance effective November 16, 2007.

II. CONCLUSIONS OF LAW AND FACT

For purposes of this order, the Board's Investigation Member makes the following conclusions of law and fact:

1. Respondent's continuation in the practice of dentistry would constitute an immediate danger to the public health and safety or welfare. The least restrictive way to prevent

or avoid the immediate danger Respondent poses to the public health, safety, and welfare is to suspend Respondent's License.

2. There is cause to believe the acts committed by Respondent could form the basis for discipline of Respondent's License, including revocation or suspension, pursuant to various provisions of the Dental Act, including K.S.A. 65-1436(b) and K.S.A. 65-1436(a)(2) and 65-1436(a)(3), as further defined by 65-1436(c)(3).

III. EMERGENCY ORDER

Pursuant to K.S.A. 77-536 and K.S.A. 65-1449, and based upon the foregoing findings and conclusions, Respondent's License is hereby suspended until further order of the Board, effective immediately.

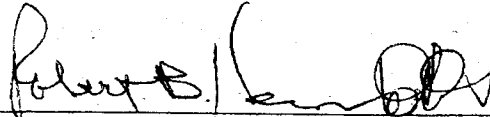
Within fifteen (15) days after service of this Emergency Agency Order, either party may file a petition for reconsideration pursuant to K.S.A. 77-529.

Within the time limits established in K.S.A. 77-613, either party may seek judicial review of this Emergency Agency 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

IT IS SO ORDERED.

12-3-07
Date


Robert Henson, DDS
Investigation Member
Kansas Dental Board

CERTIFICATE OF SERVICE

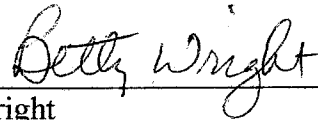
I hereby certify that I did, on the 3rd day of December, 2007, deposit in the United States mail, postage prepaid, a copy of the foregoing EMERGENCY AGENCY ORDER, properly addressed to the following:

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Betty Wright
Executive Director
Kansas Dental Board