



**COPY**

## BOARD OF DENTISTRY

**Matthew G. Bevin**  
Governor

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**William L. Brown**  
Interim Executive Director

November 17, 2017

Dr. John Mahan, DMD  
313 Michael Road  
Melber, KY 42069

**RE: Order and Notice of Immediate, Temporary Suspension of Kentucky License to Practice Dentistry**

Dear Dr. Mahan,

The Kentucky Board of Dentistry recently considered information within its possession through its Law Enforcement Committee regarding your competency to practice dentistry under the Kentucky Dental Practices Act.

The Law Enforcement Committee, by and through its statutory authority, as made the following preliminary findings of fact, which have been supplemented with additional investigative information and documentation:

- 1) You voluntarily signed the attached Well Being Agreement to participate in the KY Professional's Recovery Network;
- 2) The KY Professional's Recovery Network has notified the Law Enforcement Committee of the KY Board of Dentistry that you are no longer complying with such agreement;
- 3) Based upon your failure to comply with the terms of such Well Being Agreement, the LEC finds that you constitute an immediate danger to the health, welfare, and safety of your patients and the general public in violation of KRS 313, authorizing the Board, by and through the LEC to immediately suspend your license as authorized by KRS 313.085, KRS 313.090, KRS.100 and KRS 313.130; and
- 4) Pursuant to KRS 313.085 and KRS 313.130, the Law Enforcement Committee of the Kentucky Board of Dentistry (hereinafter the "LEC"), by majority vote, has the authority to issue an emergency order for the immediate temporary suspension of your license while disciplinary action or an investigation is pending if the order is necessary to protect the public:

With the above in mind, the LEC made the following conclusions of law by invoking KRS 131.085.

**With due regard for the totality of the circumstances, the Board, by and through a majority vote of the LEC, hereby orders that your license to practice dentistry in Kentucky by immediately and temporarily suspended for the reasons set forth above as necessary to protect the health, safety, and welfare of the public for alleged violations of KRS 313.080(2)(a),(c),(d), and (e) and KRS 313.130.**

**This Immediate, Temporary Suspension shall become effective upon service by personal delivery or by mail to your last known address on record with the Board, but not later than the time of personal service to you of this letter. You may not practice dentistry as that term is defined in KRS 313.010(11) effective upon delivery of this Notice of Immediate Temporary Suspension, unless you hold a current license in good standing issued by the Board.**

Since you are immediately, temporarily suspended, you shall make appropriate professional arrangements to refer your dental patients to provide a referral, by placing an appropriate written notice in your dental office, if any, or window visible to the public, and by staffing your dental office, if any, for a reasonable time starting immediately, so that an office staff person is available to make continued referrals in person.

You may appeal this action of the Board under KRS 313.085, or as otherwise allowed, by filing a written request with the Board within thirty (30) days after receipt of this Order, at the address on this letterhead, by notifying the Board through its staff that you desire a due process hearing, which will be conducted under KRS 13B.125. A request for a hearing does not stay the effectiveness of the Order.

The Board requires that you review this Order, sign and date below, and provide a copy to the representative of the Board, or mail/fax a copy to the Board at the address on this letterhead.

Should you have any questions or concerns, please feel free to contact the Kentucky Board of Dentistry.

Sincerely,



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Dr. Brad Fulkerson

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I hereby acknowledge receipt of the copy of the above Order and Notice of Immediate, Temporary Suspension of the Kentucky License and will abide by its terms until further order of the Board.

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Dr. John Mahan

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Date: \_\_\_\_\_

Enclosure

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