

**Commonwealth of Kentucky
Before the Kentucky Board of Dentistry
312 Whittington Parkway, Suite 101
Louisville, Kentucky 40222**

Agency Case Number K-12-001

Kentucky Board of Dentistry

Complainant

v.

Settlement Agreement

**William Donald McAlpin, D.M.D.
(License No. 6961)**

Respondent

* * * * *

Whereas, the Kentucky Board of Dentistry (hereinafter “Board”) having information upon investigation of an initiating complaint that William Donald McAlpin, D.M.D. (hereinafter “Respondent”), 219 Burke Drive, Somerset, Kentucky, 42501, has acted in violation of KRS Chapter 313, for which disciplinary action may be taken pursuant to KRS 313.080;

Whereas, the Respondent admits for the purposes of this Settlement Agreement the Board would be able to prove as follows:

At least one (1) count of a violation of KRS 313.080 (2)(e) pertaining to abuse, misuse, or misappropriate any drugs placed in the custody of the licensee or certified person for administration, or for use of others, or those drugs prescribed by licensee.

Whereas, the parties mutually desire to settle the issue in an expeditious manner, without the need for a formal hearing;

It is hereby stipulated and agreed between the undersigned parties that this matter shall be settled and resolved upon the following terms:

Voluntary Waiver of Rights

The Respondent has had the opportunity at all times to seek the advice from competent counsel of choice. No coercion has been exerted upon the Respondent, nor have any promises been made other than those reflected in this agreement. The Respondent has freely and

voluntarily entered into this agreement, motivated only by a desire to resolve the issues addressed herein. The Respondent has executed this Settlement Agreement only after a careful reading of it and a full understanding of all of its terms.

The Respondent is fully aware of the Respondent's rights to contest charges in a formal hearing. These rights include: representation by an attorney at the Respondent's own expense, the right to a public hearing on any charges or allegations filed, the right to confront and cross-examine witnesses called to testify against the Respondent, the right to present evidence on the Respondent's own behalf, the right to compulsory process to secure the attendance of such witnesses, the right to testify on the Respondent's own behalf, the right to receive written findings of fact and conclusions of law supporting the decision on the merits of the charges, the right to obtain judicial review of the Board's decision, and the right to appeal any final order of the Board to the Circuit Court of the county in which the Board met as otherwise allowed by KRS 313.150(3). All of these rights are being voluntarily waived by the Respondent in exchange for the Board's acceptance of this Settlement Agreement.

Jurisdiction

The Respondent acknowledges that the Board has jurisdiction over the Respondent and the conduct which has precipitated this settlement. The Respondent also acknowledges that the Board has the legal power to take disciplinary action up to and including revocation of the Respondent's license to practice dentistry upon proof of the allegations in the Formal Complaint pending against the Respondent.

The Respondent acknowledges that the Board will retain jurisdiction over this matter until all terms and conditions set forth in this Settlement Agreement have been met to the satisfaction of the Board.

Publication of Settlement

The Respondent acknowledges that this Settlement Agreement may be considered a public document available for inspection at any time by any member of the public under the Kentucky Open Records Act. Further, the Respondent understands that the Board is free to make any use it deems appropriate of the contents of this agreement which shall include the Board's ability to share the content of this Settlement Agreement with any governmental or professional Board or organization and Board newsletter and availability via the Board website.

Effect Upon Licensure Status: Reprimand and Agreed Upon Discipline

It is stipulated as the agreed upon disciplinary action that:

- 1) Within ten (10) days of signing this agreement, Respondent shall voluntarily retire his Kentucky Dental license by submitting the required form to the Board,
- 2) Respondent may seek reinstatement of his dental license no sooner than one (1) year from the date of signing this agreement and may only seek re-instatement by appearing before the Board's Law Enforcement Committee and providing proof that:
 - a) he is fit to practice dentistry with reasonable skill and safety;
 - b) he has participated in a Well-Being program with the Board's Well-Being Committee on a continuous basis from the date of signing this agreement;
 - c) he has maintained the required Continued Education training required by 201 KAR 8:532 Section 9;
- 3) Within ten (10) days of signing this agreement, Respondent shall voluntarily surrender his DEA license and provide written proof of this to the Board.

Enforcement of Settlement Agreement and Immediate, Temporary Suspension of License

The Respondent expressly understands failure to comply with and complete all terms of this Settlement Agreement constitutes misconduct for which the Board, its Law Enforcement Committee, or its Executive Director, shall issue an immediate, temporary suspension of the Respondent's dental license for a period of not less than twelve (12) months, and a fine of not

Have Seen, Understood, and Approved:

Kentucky Board of Dentistry

Wm. Don McAlpin
William Donald McAlpin, D.M.D.
219 Burke Drive
Somerset, Kentucky 42501
Respondent

By: Adrian Rich
Adrian Rich, D.M.D., President
Kentucky Board of Dentistry
312 Whittington Parkway, Suite 101
Louisville, Kentucky 40222

Date: 12/16/12

Date: 12/28/12

12/16/12

Mr. Tom Hill
c/o DEA
150 Hal Rogers Drive
London, Kentucky

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DEC 19 2012

KBD

Dear Sir:

I am retiring from dentistry and
would also like to retire my DEA number.
The information needed is listed below.

Thank you

Mr. Donald M. Alpin
219 Burke Drive
Somerset, Kentucky 42501

DEA #: BM4294500