

COMMONWEALTH OF MASSACHUSETTS

SUFFOLK COUNTY

**BOARD OF REGISTRATION
IN DENTISTRY**

In the Matter of)
Michelle M. McDonald, RDH)
_____)

Docket No. DEN-2014-0024

CONSENT AGREEMENT FOR REPRIMAND

The Massachusetts Board of Registration in Dentistry ("Board") and Michelle M. McDonald, RDH ("Licensee"), License¹ No. DH9056 ("License"), do hereby stipulate and agree that the following information shall be entered into and become a permanent part of the Licensee's record maintained by the Board.

1. The Licensee hereby states that she voluntarily enters into this Consent Agreement for Reprimand ("Consent Agreement") to resolve the matters set forth in Docket No. DEN-2014-0024 (the "Complaint").
2. The Licensee acknowledges there are sufficient facts in the Complaint from which the Board could reasonably find grounds for discipline under M.G.L. c. 112, § 61 and Board regulations.
3. The Licensee and the Board stipulate and agree to resolve this matter without making any findings and without having to proceed to a formal adjudicatory hearing on the Complaint as follows:
 - (a) On September 7, 1989, Licensee was issued a License to practice dental hygiene in the Commonwealth. Licensee renewed her License biennially from September 7, 1989, until on or about March 31, 2013, when Licensee failed to renew her License in violation of M.G.L. c. 112, §51 and 234 CMR 4.10(2) and (4). Thus, her License expired on April 1, 2013.
 - (b) Licensee practiced dental hygiene in the Commonwealth on an expired dental hygiene license from April 1, 2013, until on or about January 29, 2014, in violation of M.G.L. c. 112, §52 and 234 CMR 9.05(6), when she was informed her License had expired.
 - (c) Licensee submitted her license renewal application to the Board and her License was renewed on February 12, 2014.

¹The term "license" or "License" applies to both a current and expired license as well as the right to renew an expired license.

- (d) Licensee violate 234 CMR 8.03(a), by failing to complete a course in Infection Control required for license renewal.
4. To resolve this matter without further proceedings before the Board, the Licensee agrees and the Board hereby imposes a *Reprimand* on her license pursuant to 234 CMR 9.03(2)(a) to become effective the date on which the Consent Agreement is signed by the Board ("Effective Date").
 5. The Licensee understands her action in entering into the Consent Agreement is a final act and not subject to reconsideration, collateral attack or judicial review in any form or forum.
 6. Within thirty (30) days of the Effective Date, Licensee shall provide a copy of the Consent Agreement to all jurisdictions where she holds or has held any professional license.
 - (a) Licensee shall provide written documentation to the Board demonstrating her compliance with paragraph 6.
 - (b) If Licensee is not licensed to practice dental hygiene or another profession in any other jurisdiction, she shall submit a signed attestation to the Board stating such.
 7. The Licensee acknowledges and understands that the Consent Agreement is a public record within the meaning of M.G.L. c. 4, § 7 and as such may be disseminated to the public.
 8. In consideration of the Licensee entering into the Consent Agreement, the Board will not further prosecute the Complaint, unless the Licensee does not fulfill the stipulations as stated in paragraph 6, above.
 9. The Licensee states she enters the Consent Agreement of her own free will. The Licensee further states she is aware of her right to counsel in this matter and either has conferred with counsel prior to signing the Consent Agreement or waives her right to have counsel.
 10. A waiver by the Board of any provisions of the Consent Agreement at any time shall not constitute a waiver of any other provision of this Agreement, nor shall it constitute waiver by the Board of its right to enforce such provision at any future time.
 11. The Licensee has read the Consent Agreement. The Licensee understands she has the right to a formal adjudicatory hearing concerning the allegations set forth in the Complaint and that at a hearing she would have the right to confront and cross-examine witnesses, call witnesses, present evidence, testify on her own behalf, contest the allegations, present oral argument, seek judicial review and to all other

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rights set forth in the State Administrative Procedure Act, M.G.L. c. 30A and 801 CMR 1.00 *et seq.* By executing the Consent Agreement, Licensee knowingly and voluntarily waives her right to a formal adjudicatory hearing and to all of the above-enumerated rights set forth in the State Administrative Procedure Act, M.G.L. c. 30A and 801 CMR 1.00 *et seq.*

Licensee

Michelle M. McDonald RDH
Michelle M. McDonald, RDH

12/18/2014
Date Signed

For Board of Registration in Dentistry

Barbara A. Young RDH
Barbara A. Young, RDH
Executive Director

12/23/14
Date Signed

12/23/14
Effective Date