



The Commonwealth of Massachusetts
Executive Office of Health and Human Services
Department of Public Health
Division of Health Professions Licensure
Board of Registration in Dentistry

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MARYLOU SUDDERS
Secretary

MONICA BHAREL, MD, MPH
Commissioner

March 23, 2015

By first-class mail

Kathleen Vowels Brunkhardt

redacted

**RE: In the matter of Kathleen Vowels Brunkhardt, RDH
DEN-2014-0022**

Dear Ms. Brunkhardt:

Enclosed please find a fully executed Consent Agreement effective **March 20, 2015**. A copy of this letter and the Consent Agreement will remain in the complaint file referenced above. The file will be retained for no less than three (3) years in accordance with state public record laws.

Paragraph six requires that you provide a copy of this Consent Agreement to all jurisdictions in which you hold a license to practice dental hygiene. If you do not hold any other license in any other jurisdiction you must inform Karen Fishman, Probation Monitor, in writing within thirty (30) days of March 20 2015.

Paragraph seven requires you to complete twelve continuing education credits that are required for license renewal, three of which shall be related to Infection Control in the Dental Health Care Setting. It is also your responsibility to provide written proof satisfactory to the Board that you have successfully completed these credits. These credits must be taken in compliance with the Board's continuing education requirements at 234 CMR 8.00, *but do not require prior Board approval*.

Also, I corrected a minor, typographical change in paragraph 3(b) relating to the date your dental hygiene license expired. It was 'April 1, 2011' and I changed it to read 'April 1, 2013'.

If you have any questions please call Ms. Fishman, Probation Monitor, at (617) 973-0951.

Kathleen Vowels Brunkhardt
March 23, 2015

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Thank you for your cooperation in this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "S. Leadholm". The signature is fluid and cursive, with the first letter of the last name being a large, stylized "L".

Samuel Leadholm, Board Counsel
Board of Registration in Dentistry

Encl.

COMMONWEALTH OF MASSACHUSETTS

SUFFOLK COUNTY

**BOARD OF REGISTRATION
IN DENTISTRY**

In the Matter of _____
Kathleen Vowels Brunkhardt, RDH _____

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Docket No. **DEN-2014-0022**

CONSENT AGREEMENT FOR REPRIMAND

The Massachusetts Board of Registration in Dentistry ("Board") and Kathleen Vowels Brunkhardt, RDH ("Licensee"), License¹ No. DH7893 ("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 allegations set forth in Docket No. DEN-2014-0022 ("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 the Complaint without making any findings and without proceeding to a formal adjudicatory hearing on the Complaint based on the following allegations:
 - (a) On August 2, 1985, Licensee was issued a license to practice dental hygiene in the Commonwealth. Licensee renewed her License biennially from August 2, 1985, 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).² Thus, her License expired on April 1, 2013.
 - (b) Licensee practiced in the Commonwealth without a license from April 1, 2013, until on or about March 3, 2014 when she discovered her License had expired. Thus, Licensee practiced without a dental hygiene license from April 1, 2013 until on or about March 1, 2014 in violation of M.G. L. c. 112, §52 and 234 CMR 9.05(6).

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

² The regulation section and subsections cited to were in effect between April 2013 and March 2014.

- (c) Licensee submitted her license renewal application to the Board and her License was renewed on March 6, 2014.
 - (d) Licensee violated 234 CMR 8.03(a), by failing to take mandatory continuing education in Infection Control in Dental Health Care Setting before renewing her License.
 - (e) Licensee violated 234 CMR 8.02(3), by failing to take 12 of 20 CEUs required for the license renewal period ending March 31, 2013.
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 this 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. Within six (6) months of the Effective Date, the Licensee shall provide written proof satisfactory to the Board she has taken and successfully passed twelve (12) CEUs which shall include three (3) CEUs related to Infection Control in the Dental Health Care Setting.
 8. The Licensee acknowledges and understands the Consent Agreement is a public record within the meaning of M.G.L. c. 4, § 7(26) and as such may be disseminated to the public.
 9. The Board agrees that by Licensee entering into the Consent Agreement, the Board will forgo further prosecution of the Complaint unless the Licensee does not fulfill the stipulations as stated in Paragraphs 6 and 7 above.
 10. The Licensee states that she enters the Consent Agreement of her own free will. The Licensee further states that she is aware that she has a right to counsel in this

Agreement or waives her right to have counsel.


11. 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 the Consent Agreement, nor shall it constitute waiver by the Board of its rights to enforce such provision at any future time.
12. The Licensee has read 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 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


Kathleen Vowels Brunkhardt, RDH

3/14/15
Date Signed

Board of Registration in Dentistry


Barbara A. Young, RDH
Executive Director

3/20/15
Date Signed

3/20/15
Effective Date