

**IN AND BEFORE THE OKLAHOMA STATE BOARD OF DENTISTRY
STATE OF OKLAHOMA**

**STATE OF OKLAHOMA, ex rel.,
THE OKLAHOMA BOARD OF DENTISTRY,
Plaintiff**

vs.

**KRYSTAL DORA HARPER, D.A. permit #6443,
Respondent**

Case No: 20-55 (D)

STATEMENT OF COMPLAINT

YOU ARE HEREBY NOTIFIED on the following charges made against you.

GENERAL BACKGROUND

1. The Board has jurisdiction over the Respondent the subject matter herein pursuant to the Oklahoma State Dental Act 59 O.S. § 328.1 et. seq. and the Board of Dentistry Rules and Regulations, Title 195 et. seq.
2. **KRYSTAL DORA HARPER, D.A.** holds Oklahoma dental assisting permit #6443, that has been expired since 2015. She has not previously been before the Board. **KRYSTAL DORA HARPER'S**, State Dental Assistant permit was originally issued August 11, 2015. The actions relevant to this Statement of Complaint occurred in and around Edmond, Oklahoma.
3. The acts and omissions, which constitute the allegations contained in this Statement of Complaint, occurred between January 1st of 2017 through January 12th 2021, but at all times relevant to the State Dental Act and Oklahoma State laws. The requirements of the State Dental Act and the Rules and Regulations of the Board to regulate the conduct herein were in effect for all times appropriate to the actions described in this Statement of Complaint.

SPECIFIC ALLEGATIONS

Each of the paragraphs, as stated above, are incorporated and adopted by reference herein for each specific allegation.

1. A complaint was received on or about July 23, 2020 regarding a dentist mishandling CDS in the office of ELI JARJOURA D.D.S.
2. Dr. Howl assigned Dr. Lunday and Dr. Nowlin to the review panel.
3. During the investigation, it was discovered that Mercedes Bennett D.A., #6143 and KRYSTAL DORA HARPER D.A. #6443, had been working without a valid dental assistant permit for multiple years. While the investigation was in progress, two additional complaints were received regarding unlicensed individuals working as dental assistants in the same office.
4. KRYSTAL DORA HARPER D.A. told investigators that she had been working for Dr. Jarjoura for years, but had been off for the last two months while she had her baby. She also told investigators that during the past four to five years, she had been doing everything a dental assistant does, including but not limited to, x-rays (radiographs), coronal polishing, taking impressions and assisting chairside. Board records indicate that she has never had any expanded function permits.
5. The Respondent has taken full responsibility for her actions and has cooperated with investigators.

The above acts and omissions set forth above constitutes violations of the State Dental Act including violations of State and Federal laws.

CT. 1-2 —UNLICENSED PRACTICE AS A DENTAL ASSISTANT WITHOUT A VALID PERMIT IN VIOLATION OF O.S. 59 O.S. § 328.24, for 2016 and 2020.

CT. 3-4 — FAILING TO DISPLAY A VALID DENTAL ASSISTING PERMIT IN VIOLATION OF 59 O.S. § 328.21(J) for 2016 and 2020.

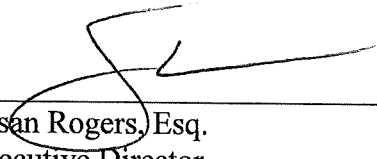
POTENTIAL SANCTION(S)

The Board is authorized, after notice or opportunity for a hearing pursuant to Article II of the Administrative Procedures Act, to issue an order to impose sanction(s) whenever the Board finds, by clear and convincing evidence, that a licensee has violated the State Laws or Rules in regards to their license. The minimum to maximum sanction in this matter ranges from no action to revocation of license and an administrative fine of up to \$1500 per violation. We request for this matter to be set for hearing on the next Board Agenda.

ATTORNEY'S FEES

The Board is authorized, after notice or opportunity for a hearing pursuant to Article II of the Administrative Procedures Act, to request the costs of prosecution and attorney's fees be recovered from the Respondent. The Board is requesting costs and attorney's fees.

Respectfully Submitted,



Susan Rogers, Esq.
Executive Director

Date

Jan. 14, 2020

Panel Members

Dr. Jeff Lunday

Dr. Lisa Nowlin

Investigators

Jeff Puckett, Deputy Director BOD

Jay Dauphinas, Special Agent DEA

Bill Nations, D.D.S., Anesthesia Coordinator and Inspector BOD

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**STATE OF OKLAHOMA, ex rel.,
THE OKLAHOMA BOARD OF DENTISTRY,
Plaintiff**

vs.

**KRYSTAL DORA HARPER, D.A. permit #6443,
Respondent**

Case No: 20-55 (D)

AGREED ORDER FOR REINSTATMENT OF DENTAL PERMIT

This cause came on for hearing before the Oklahoma State Board of Dentistry (the "Board") on January 15, 2020 at the meeting of the Oklahoma State Board of Dentistry, held at 2920 N. Lincoln Blvd., Oklahoma 73105, pursuant to notice given as required by law and rules of the Board.

Plaintiff, the State of Oklahoma, ex rel. the Oklahoma State Board of Dentistry by and through its Executive Director and attorney, Susan Rogers and the Respondent, Krystal Harper, D.A., permit #6443, who does not appear.

The Board en banc after hearing arguments of counsel, reviewing the exhibits admitted and the sworn testimony of witnesses, and being fully advised in the premises, found that there is clear and convincing evidence to support the following Findings of Fact, Conclusions of Law and Orders:

AGREEMENT AND ACKNOWLEDGMENT BY RESPONDENT

By voluntarily submitting to jurisdiction and entering into this Order, Respondent accepts and admits to the complaint and citation filed herein as recommended by the investigation and review panel. Respondent acknowledges that a hearing before the Board would result in an initiation of an individual action and some sanction under the Oklahoma State Dental Practices Act.

Respondent, **KRYSTAL DORA HARPER, D.A.** states that she is of sound mind and is not under the influence of, or impaired by, any medication or drug and that she fully recognizes her right to appear before the Board for a formal initiation of an action and an evidentiary hearing on the allegations made against her. Respondent hereby voluntarily waives her right to a full hearing, submits to the jurisdiction of the Board and agrees to abide by the terms and conditions of this Order. Respondent acknowledges that she has read and understands the terms and conditions stated herein.

Respondent and Attorneys for the Board stipulate to the following findings of fact; The Board heard statements of counsel, reviewed the exhibits presented, and being fully apprised in the premises, finds that there is clear and convincing evidence of the following Findings of Fact, Conclusions of Law and Orders:

STIPULATIONS AND AGREED FINDINGS OF FACT

1. KRYSTAL DORA HARPER D.A. currently possesses Oklahoma Dental Assistant Permit #6443.
2. Respondent KRYSTAL DORA HARPER D.A. is the subject of a complaint, Case No: 20-55(D).
3. The Board pursuant to the Oklahoma State Dental Practices Act 59 O.S. § 328.1 et. seq. is a duly authorized State Agency empowered to license and oversee the activities of all persons practicing dentistry or hygiene pursuant to the act in the State of Oklahoma.
4. The Board has jurisdiction over the subject matter herein, and notice has been given in all respects as required by law and the rules of the Board.
5. KRYSTAL DORA HARPER D.A., has not been before this Board on a complaint prior to this.
6. Respondent acknowledges that this agreement is freely and voluntarily made, and the Respondent has not been subject to duress or coercion.
7. Respondent has been apprised of her right to seek counsel on this matter and is fully aware of the consequences of this agreement.
8. The Respondent submits herself to the jurisdiction of the Board and, waives all rights to a hearing appeal and any other claim in a court having jurisdiction over any part of this matter.
9. A complaint was received on or about July 23, 2020 regarding a dentist mishandling CDS in the office of ELI JARJOURA D.D.S.
10. Dr. Howl assigned Dr. Lunday and Dr. Nowlin to the review panel.
11. During the investigation, it was discovered that Mercedes Bennett D.A., #6143 and KRYSTAL DORA HARPER #6443, had been working without a valid dental assistant permit for multiple years. While the investigation was in progress, two additional complaints were received regarding unlicensed individuals working as dental assistants in the same office.

12. KRYSTAL DORA HARPER D.A. told investigators that she had been working for Dr. Jarjoura in previous years, but had been off for the last two months while she had her baby. She also told investigators that during the past four to five years, she had been doing everything a dental assistant does, including but not limited to, x-rays (radiographs), coronal polishing, taking impressions and assisting chairside. Board records indicate that she has never had any expanded function permits.
13. The Respondent has taken full responsibility for her actions and has cooperated with investigators.
14. KRYSTAL DORA HARPER D.A., acknowledges the attached statement of complaint put forth to the Board by the investigative panel and pleads no contest for the purposes of this administrative action only to the allegations. See Attachment "A", Statement of Complaint, to this agreement. This plea and agreed order shall not be considered as any admission of the part of KRYSTAL DORA HARPER D.A., for any other court proceeding other than relating directly to this administrative case.
15. Respondent acknowledges and admits violations of the following rules and laws:

CT. 1-4 UNLICENSED PRACTICE AS A DENTAL ASSISTANT WITHOUT A VALID PERMIT IN VIOLATION OF O.S. 59 O.S. § 328.24.

CT. 5-10 FAILING TO DISPLAY A VALID DENTAL ASSISTING PERMIT IN VIOLATION OF 59 O.S. § 328.21(J).

CONCLUSIONS OF LAW

1. The Board has jurisdiction over the Respondent the subject matter herein pursuant to the Oklahoma State Dental Act 59 O.S. § 328.1 et. seq and the Board of Dentistry Rules and Regulations, Title 195 et. seq.
2. Based on the foregoing facts and admissions, the Board finds that Respondent committed violations of

CT. 1-2 UNLICENSED PRACTICE AS A DENTAL ASSISTANT WITHOUT A VALID PERMIT IN VIOLATION OF O.S. 59 O.S. § 328.24.


CT. 3-4 FAILING TO DISPLAY A VALID DENTAL ASSISTING PERMIT IN VIOLATION OF 59 O.S. § 328.21(J).

3. The Board en banc, hereby adopts the agreement of the parties in this Voluntary Submittal to Jurisdiction.

AGREED ORDER

IT IS THEREFORE ORDERED by the Oklahoma State Board of Dentistry as follows:

1. Respondent, KRYSTAL DORA HARPER D.A., Oklahoma D.A. permit # 6443 is placed on probation for a period of two years to conclude January 14, 2023.
2. Respondent is assessed \$100 per count for counts 1-4. Respondent shall pay a \$100 fine all actions and/or administrative fines for count 2-4 are hereby suspended for a period of 2 years, but may be reopened for failure to complete the terms of this agreement or a new violation under the following conditions:
3. The administrative fine of \$100 shall be due no later than January 14th of 2023. For the next two years she will renew her dental permit no later than November 30th of each year for the following year. She agrees to practice in compliance with all other State Laws and Regulations under the Oklahoma Dental Practices Act;
4. Respondent will not violate any other State or Federal law;
5. Respondent will keep the Oklahoma State Board of Dentistry informed of his current address and phone number.
6. Respondent agrees to cooperate with investigators whenever requested and testify in court if requested.
7. Until such time as all indebtedness to the Oklahoma State Board of Dentistry has been satisfied, Respondent shall reaffirm said indebtedness in any and all bankruptcy proceedings.
8. Failure to meet any terms of the Board Order will constitute cause for the Board to initiate additional proceedings to suspend, revoke or modify Respondent's license after due notice and hearing.



Mike Howl, D.D.S., Board President,

OKLAHOMA STATE BOARD OF DENTISTRY

Panel Members

Panel Members

Dr. Jeff Lunday

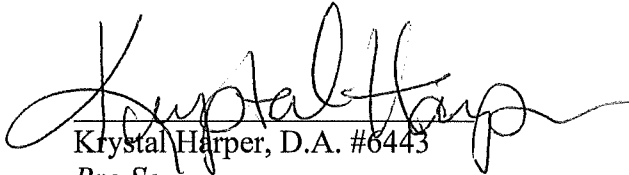
Dr. Lisa Nowlin

Investigators

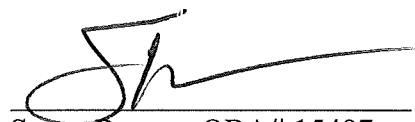
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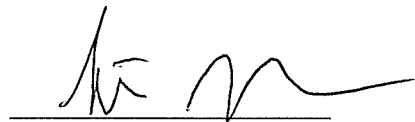
AGREED AND APPROVED:



Krystal Harper, D.A. #6443
Pro Se



Susan Rogers, OBA# 15497
Executive Director
Oklahoma State Board of Dentistry
Attorney for the Oklahoma State Board of Dentistry



Stephen McCaleb OBA # 15649
Judicial Counsel, State Board of Dentistry