

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

STATE OF OKLAHOMA, ex rel.,	)	
THE OKLAHOMA BOARD OF DENTISTRY,	)	
Plaintiff	)	
	)	
vs.	)	Case No: 24-57(C)
	)	
ASHLEY NEWBY, D.A. PERMIT #1994	)	
Respondent	)	

**AGREED ORDER ACCEPTING VOLUNTARY  
SUBMITTAL TO JURISDICTION**

This cause comes before the Oklahoma State Board of Dentistry (the "Board") on April 18, 2025, at the meeting of the Oklahoma State Board of Dentistry, held at 2920 N. Lincoln Blvd., Oklahoma City, 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, **ASHLEY NEWBY, D.A. PERMIT #1994** 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 this Order, Respondent accepts and pleads guilty to the complaint and citation filed herein as recommended by the investigation and review panel and 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, **ASHLEY NEWBY, D.A. PERMIT #1994**, 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. Ashley Newby, D.A., currently possesses Oklahoma Dentistry Assisting Permit #1994 originally issued January 22, 2014.
2. Respondent **ASHLEY NEWBY, D.A. PERMIT #1994**, is the subject of a complaint, Case No: 24-57(C)
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. **ASHLEY NEWBY, 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 May 19, 2024, regarding VAN PHONG (JOHN) VU., D.D.S. and an allegation of dental assistants including **ASHLEY NEWBY, D.A. PERMIT #1994** practicing without permits and practicing outside of their scope of practice.
10. Dr. Carmen assigned Dr. Stan Crawford and Dr. Brant Rouse as the review panel, Investigator Steve Lowe was assigned to the case.
11. A complaint was received on May 19, 2024, regarding VAN PHONG (JOHN) VU., D.D.S. and an allegation of dental assistants including **ASHLEY NEWBY, D.A. PERMIT #1994**, providing treatment outside their scope as a dental assistant as well as quality of care in Oklahoma City, Oklahoma.
12. Dr. Carmen assigned Dr. Stan Crawford and Dr. Brant Rouse as the review panel, Investigator Steve Lowe was assigned as the investigator on the case.

13. Patient C.W. filed a complaint with the board after seeking treatment for a potential chipped/broken tooth. After being seen by Dr. Vu, the patient received two crowns on adjoining teeth, one chipped and another having been previously filled that was also chipped/cracked. Patient C.W. had multiple visits to the office, the first visit for placement of temporary crowns while the permanent crowns were fabricated.
14. During the investigation it was discovered that multiple dental assistants were working outside their scope of practice and/or providing treatment to patients without having proper dental assisting expanded function permits including **ASHLEY NEWBY, D.A. PERMIT #1994**. Dental Assistant Ashley Newby admitted to investigators that she had adjusted the knob on the nitrous oxide being used on patients to turn it off. During this time she was monitoring patients while under nitrous oxide without having a proper expanded function permit.
15. Dr. Vu advised investigators that he has four dental assistants assigned to him and that they are allowed to adjust crowns extra-orally but if this was happening inside of the mouth he would address this immediately as that was not authorized by him. He also advised that the dental assistants were sometimes overzealous when he was busy and would take it upon themselves to adjust crowns but that they should not have done further adjustments after he cemented the permanent crown. Dr. Vu also stated that if the dental assistant placed the temporary crown and the fitting was good, he did not see the patient before they left.
16. Dr. Vu adamantly denies allowing the dental assistants to act outside the scope of their permits, and believes they were doing things on their own to help keep up with patient treatment. He admitted that he is responsible as the supervising dentist.
17. A copy of the statement of complaint is attached as "Exhibit A" and is incorporated herein by reference;
18. The Respondent has taken full responsibility for her actions at this time and has asked to enter this agreed order.
19. Respondent acknowledges and admits violations of the following rules and laws:

CT. 1. A DENTAL ASSISTANT PERFORMING A PROCEDURE PROHIBITED BY THE STATE DENTAL ACT OR RULES OF THE BOARD; SPECIFICALLY, 59 O.S. §328.29(a) 195:15-1-5; Duties not assignable to dental assistants by Ashley Newby, DA, monitoring a patient using nitrous oxide without having a valid expanded function permit.

### 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. A DENTAL ASSISTANT PERFORMING A PROCEDURE PROHIBITED BY THE STATE DENTAL ACT OR RULES OF THE BOARD; SPECIFICALLY, 59 O.S. §328.29(a) 195:15-1-5; Duties not assignable to dental assistants by Ashley Newby, D.A., monitoring a patient using nitrous oxide without having a valid expanded function permit.

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. The permit of Respondent, ASHLEY NEWBY, D.A. PERMIT #1994, is subject to probation for a period of 1 year beginning April 18, 2025, and ending April 18, 2026.
2. Respondent is assessed a fine of \$200.00 for count 1. The fine amount of \$200.00 shall be due no later than April 18, 2026.
3. Respondent will conduct her practice in compliance with all other State Laws and Regulations under the Oklahoma Dental Practices Act;
4. Respondent will not violate any State or Federal law;
5. This Order will be reportable to the National Practitioner Databank if required by federal law.
6. Respondent will furnish to each and every state in which he holds a current dental assisting permit or applies for a permit or license a copy of this order.
7. Respondent will keep the Oklahoma State Board of Dentistry informed of her current address.
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.

  
BOBBY CARMEN, D.D.S., BOARD PRESIDENT,  
OKLAHOMA STATE BOARD OF DENTISTRY

Panel Members

Dr. Jeff Lunday

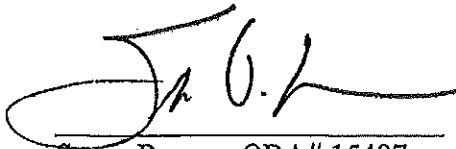
Dr. Stan Crawford

AGREED AND APPROVED:



ASHLEY NEWBY, D.A. PERMIT #1994

*Pro Se*



Susan Rogers, OBA# 15497

Executive Director

Oklahoma State Board of Dentistry

*Attorney for the Oklahoma State Board of Dentistry*

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Stephen McCaleb

OBA # 15649

*Judicial Counsel, State Board of Dentistry*

