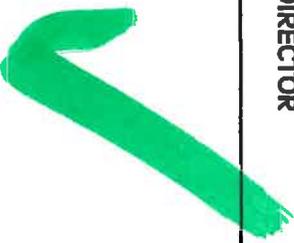


**DEPARTMENT OF HEALTH AND HUMAN SERVICES
OFFICE OF DIRECTOR**

ACTION REFERRAL

TO <i>Singleton</i>	DATE <i>3-3-09</i>
------------------------	---------------------------

DIRECTOR'S USE ONLY	ACTION REQUESTED
1. LOG NUMBER <i>060479</i>	<input type="checkbox"/> Prepare reply for the Director's signature DATE DUE _____ <input type="checkbox"/> Prepare reply for appropriate signature DATE DUE _____ <input type="checkbox"/> FOIA DATE DUE _____ <input checked="" type="checkbox"/> Necessary Action
2. DATE SIGNED BY DIRECTOR 	

APPROVALS <small>(Only when prepared for director's signature)</small>	APPROVE	* DISAPPROVE <small>(Note reason for disapproval and return to preparer.)</small>	COMMENT
1.			
2.			
3.			
4.			



South Carolina Department of Labor, Licensing and Regulation

Mark Sanford
Governor

South Carolina Board of Dentistry

Adrienne Riggins Youmans
Director

110 Centerville Drive
Post Office Box 11329
Columbia, SC 29211-1329
Phone: (803) 896-4599
FAX: (803) 896-4596
www.llr.state.sc.us

TO: INTERESTED PARTIES

FROM: SOUTH CAROLINA STATE BOARD OF DENTISTRY

RE: JONATHAN GREGORY SMITH, DMD

DATE: February 27, 2009

Enclosed please find a copy of the public orders of the South Carolina State Board Of Dentistry in the above referenced matter.

VR/cjc

Enclosures

BEFORE THE SOUTH CAROLINA BOARD OF DENTISTRY

In the Matter of:

Jonathan Gregory Smith,
License No. DGD 3534,

Respondent

OGC: 09-0002
OIE: 2008-78

PUBLIC ORDER OF TEMPORARY
SUSPENSION

WHEREAS, the Office of General Counsel has provided probable cause warranting an Order of the Board to temporarily suspend Respondent from practice in accordance with the

WHEREAS, the Board has authority to temporarily suspend, pursuant to S.C. Code of Laws §§ 40-1-110, and -120, and 40-15-190, (1976, as amended).

WHEREAS, the Private Order of Suspension was executed on July 17, 2008 by this Board, the following Order is to provide the public record of that Order

THEREFORE, IT IS ORDERED THAT, in accordance with S.C. Code of Laws §§ 40-1-110, and -120, 40-15-190, (1976, as amended), Respondent's license to practice dentistry in this State is hereby temporarily suspended, effective July 17, 2008, until further Order of the Board.

AND IT IS SO ORDERED.

STATE BOARD OF MEDICAL EXAMINERS

12.7
Date 2008

BY: 
C. TIMOTHY ASSEY, DMD
President of the Board

**SOUTH CAROLINA DEPARTMENT OF LABOR, LICENSING & REGULATION
BEFORE THE BOARD OF DENTISTRY**

IN THE MATTER OF:

JONATHAN GREGORY SMITH
License No. DGD. 3534

OGC #09-0002
OIE #2008-78

**CONSENT AGREEMENT
ORDER**

Respondent.

By agreement of the State of South Carolina, Board of Dentistry (hereinafter "the Board") and the above-named Respondent, the following disposition of this matter is entered pursuant to Section 1-23-320(f) of the South Carolina Administrative Procedures Act (APA), S.C. Code Ann. § 1-23-10, *et seq.* (1976, as amended).

FINDINGS OF FACT

1. Respondent admits that Respondent is licensed to engage in the practice of dentistry in the State of South Carolina and was so licensed at all times relevant to the matters asserted in this case and that the South Carolina Board of Dentistry has jurisdiction over this matter.
2. Respondent is the subject of a Temporary Order of Suspension in this matter.
3. Respondent admits that he suffers from depression, anxiety, and has or recently had a Class II drug dependency.
4. Respondent further admits that as a result of Respondent's previous admissions herein Respondent has violated S.C. Code Ann. § 40-15-190 (A)(3), as alleged.
5. Respondent waives any further findings of fact in this matter.
6. Respondent waives any procedural requirements including the filing of a formal complaint, except the right to receive a copy of the approved agreement.

CONCLUSIONS OF LAW

7. Respondent admits that the conduct in this matter constitutes sufficient grounds for disciplinary or corrective action under S.C. Code Ann § 40-15-200. Respondent hereby waives any further conclusions of law with respect to this matter.

8. Respondent has full knowledge that Respondent has the right to a hearing and to be represented by counsel in this matter, and freely, knowingly, and voluntarily waives such rights by entering into this Consent Agreement. Respondent understands and agrees that by entering into this Consent Agreement Respondent voluntarily relinquishes any right to judicial review of Board action(s) which may be taken concerning any related matters. Respondent understands and agrees that this Consent Agreement will not become effective unless and until approved by the Board. Respondent understands and agrees that a representative of the General Counsel's Office and Respondent may be present during presentation of this Consent Agreement to the Board and that the Board shall have the authority to review portions of the investigative file and all relevant evidence in considering this Consent Agreement. Respondent understands and agrees that this Consent Agreement, if approved, will be disseminated as a public action of the Board in the manner provided by law. Respondent understands and agrees that if this Consent Agreement is not approved, it shall not constitute an admission against interest in this proceeding or prejudice the right of the Board to adjudicate this matter.

THEREFORE, IT IS AGREED WITH RESPONDENT'S CONSENT THAT:

9. Respondent's license to practice dentistry in this State is suspended for a term of five years and a fine of \$5,000 both immediately stayed upon the successful completion of five years probation under the terms and conditions as set out herein below. The Temporary Suspension Order shall remain in effect until such time as RPP issues a Return-to-work release.
10. Thereafter, Respondent's license shall be continued in a probationary status for five years upon the following terms and conditions, which shall remain in effect until further Order of the Board:
 - a. Respondent shall enter into a contract with RPP for a term of not less than five years. Respondent agrees to abide by all recommendations for treatment by RPP.
 - b. Respondent shall refrain from the practice of Dentistry until RPP issues him a return-to-work release.
 - c. Respondent shall appear and report to the Board as requested by the Board.
 - d. In the event that Respondent fails to meet the terms and conditions of this agreement, RPP shall notify the Board administrator of the non-compliance and the five year suspension and five thousand dollar fine shall be reinstated administratively with notice by certified mail to the Respondent at the address maintained by the Board for his license.
 - e. Respondent shall promptly advise this Board in writing of any changes in employment, address, practice, hospital privileges, professional status, or

compliance with this Consent Agreement. Correspondence and copies of reports and notices mentioned herein shall be directed to:

LLR - Board of Dentistry
P.O. Box 11329
Columbia, SC 29211-1329

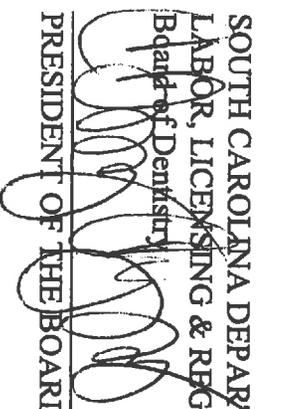
11 Pursuant to the South Carolina Freedom of Information Act, S.C. Code Ann. § 30-4-10, *et seq.*, as amended, this Consent Agreement, with attachments, is a public document, and this action will be reported to the National Practitioner Data Bank in accordance with 42 U.S.C. § 11101, *et seq.*

12. It is understood and agreed that if Respondent fails to meet the conditions agreed to in this Consent Agreement, Respondent's license may be immediately suspended pending compliance. Non-compliance may result in further discipline. Any license law violations by Respondent constitute a failure to meet the conditions of this Consent Agreement.

13. This Consent Agreement shall take effect immediately upon acceptance by the Board.

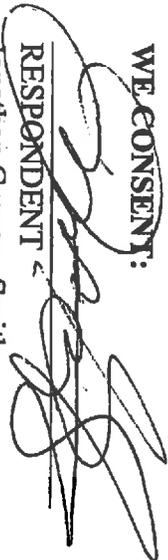
IT IS SO ORDERED

JAN 22, 2008

SOUTH CAROLINA DEPARTMENT OF
LABOR, LICENSING & REGULATION
Board of Dentistry

PRESIDENT OF THE BOARD

WE CONSENT:

1-2-08, 2008

RESPONDENT

Jonathan Gregory Smith

1-2-09, 2008


ATTORNEY for the S.C. Dept. of
Labor, Licensing & Regulation
Ernest M. Spong III

CERTIFICATE OF SERVICE BY MAIL

This is to certify that the undersigned has this date served this Consent Agreement in the above entitled action upon all parties to this case by depositing a copy hereof, in the United States mail, postage paid, or in the Interagency Mail Service addressed to the party (ies) or their attorney (s), to the following address: 38 Thimblewood Ct., Spartanburg, SC 29680

By: Ernest M. Spong III January 2009




South Carolina Department of Labor, Licensing and Regulation

Mark Sanford
Governor

South Carolina Board of Dentistry

Adrienne Riggins Youmans
Director

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Enclosures

BEFORE THE SOUTH CAROLINA BOARD OF DENTISTRY

In the Matter of:

Jonathan Gregory Smith,
License No. DGD.3534,

Respondent

OGC: 09-0002
OLE: 2008-78

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SUSPENSION**

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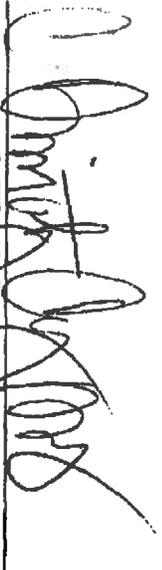
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STATE BOARD OF MEDICAL EXAMINERS

12.7
Date 2008

BY: 
C. TIMOTHY ASSEY, DMD
President of the Board

**SOUTH CAROLINA DEPARTMENT OF LABOR, LICENSING & REGULATION
BEFORE THE BOARD OF DENTISTRY**

IN THE MATTER OF:

JONATHAN GREGORY SMITH
License No. DGD. 3534

OGC #09-0002
OIE #2008-78

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ORDER**

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 - c. Respondent shall appear and report to the Board as requested by the Board.
 - d. In the event that Respondent fails to meet the terms and conditions of this agreement, RPP shall notify the Board administrator of the non-compliance and the five year suspension and five thousand dollar fine shall be reinstated administratively with notice by certified mail to the Respondent at the address maintained by the Board for his license.
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P.O. Box 11329
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IT IS SO ORDERED

JAN 22, 2009

SOUTH CAROLINA DEPARTMENT OF
LABOR, LICENSING & REGULATION
Board of Dentistry
PRESIDENT OF THE BOARD

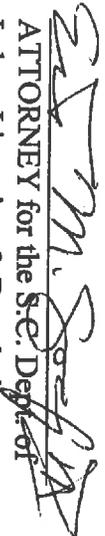
WE CONSENT:

RESPONDENT

Jonathan Gregory Smith

1-2-09, 2008

1-2-09, 2008


ATTORNEY for the S.C. Dept. of
Labor, Licensing & Regulation
Ernest M. Spong III

CERTIFICATE OF SERVICE BY MAIL

This is to certify that the undersigned has this date served this Consent Agreement in the above entitled action upon all parties to this cause by depositing a copy hereof, in the United States mail, postage paid, or in the Interagency Mail Service addressed to the party (and) or their attorney (s), to the following address: 38 Thornburnway Dr., Spartanburg, SC 29160

This is the 1st day of February, 2009
By: Heath J. Davis

