

IN THE MATTER OF	§	BEFORE THE STATE
	§	
	§	
RUBIN L. ROCKWELL, JR.	§	
RUBIN L. ROCKWELL, SR.	§	BOARD OF
BRODRICK ROCKWELL	§	
	§	
FORT WORTH, TEXAS	§	DENTAL EXAMINERS

AGREED CEASE AND DESIST ORDER

On the 12th day of August, 2016, the State Board of Dental Examiners (Board) met in a regularly scheduled meeting and the above-styled case was heard.

On August 8, 2016, the Board's staff proposed this Agreed Cease and Desist Order (Order) in the above-styled case against Rubin L. Rockwell, Jr. (Respondent). Upon the recommendation of the Board's staff and with the consent of Respondent, the Board makes the following findings of fact and conclusions of law.

FINDINGS OF FACT

1. Respondent received all notice required by law and all jurisdictional requirements have been satisfied.
2. Respondent is not licensed to practice dentistry in the State of Texas.
3. During the time period from 2009, through the present, Respondent is alleged to have engaged in the unlicensed practice of dentistry by preparing or offering to prepare dentures, implants, or crowns, based upon impressions taken by the Respondent or the Respondent's family members.
4. Respondent specifically denies Finding of Fact paragraph No. 3. Respondent does not admit that he engaged in the unlicensed practice of dentistry. Respondent agrees to enter into this Order solely to avoid the expense and inconvenience of litigation. Respondent has cooperated in the investigation of the allegations related to this Order. To avoid further investigation, hearings, and the expense and inconvenience of litigation, Respondent agrees to the entry of this Order and to comply with the terms and conditions.

CONCLUSIONS OF LAW

Based on the Findings of Fact, the Board concludes the following:

1. Tex. Occ. Code, Title 3, Subtitle D, the Dental Practice Act (Act), § 264.0525, authorizes the Board to issue a cease and desist order prohibiting a person from engaging in an activity without a license required by the Act.
2. The conduct described in Finding of Fact paragraph No. 3 constitutes the practice of dentistry as defined in Tex. Occ. Code § 251.003(a)(3)(B), (5), (6), (7), and therefore represents a violation of Tex. Occ. Code § 256.001.
3. Tex. Occ. Code § 264.101 authorizes the Board to impose a civil penalty against a person who violates a provision of the Act.

ORDER

Based on the Findings of Fact and Conclusions of Law, and notwithstanding the Respondent's denial thereof, the Board ORDERS that:

1. Respondent is prohibited from engaging in the unlicensed practice of dentistry in the State of Texas.
2. Respondent shall cease and desist any unlicensed practice of dentistry in the State of Texas after the date of Respondent's signature below.
3. Any violation of this Order constitutes grounds for imposing a civil penalty of up to \$5000 for each violation, and/or each day of continuing violation, of the Act.

Signature page follows.

Respondent waives the right to a hearing pursuant to Tex. Occ. Code § 264.0525 and all rights pursuant to the Administrative Procedure Act, Tex. Gov't Code, Chapter 2001, including the right to a hearing, and to any further hearings or appeals to the Board or to any court in regard to this Order. Respondent agrees to the entry of this Order and agrees that this is a Final Order.

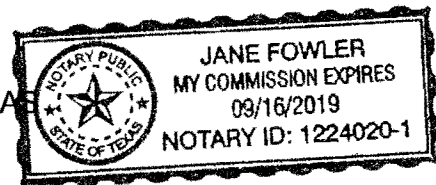
THIS ORDER IS A PUBLIC RECORD.

Rubin L. Rockwell Jr.

Rubin L. Rockwell, Jr., Respondent

Jane Fowler notarized the signature of Ruben L. Rockwell, Jr., this 10th day of August, 2016.


NOTARY PUBLIC IN and FOR THE STATE OF TEXAS



STATE BOARD OF DENTAL EXAMINERS
SIGNED this 12th day of August, 2016.


Steven J. Austin, DDS, Presiding Officer


David Tillman, DDS, Board Secretary