

**BOARD OF DENTAL EXAMINERS
STATE OF MISSISSIPPI**

**IN THE MATTER OF MISSISSIPPI
LICENSE NO. 3437-07 ISSUED TO:**

**JEFF MICHAEL ZIMMERMAN, D.D.S.
6213 WASHINGTON AVENUE
OCEAN SPRINGS, MISSISSIPPI 39565**

RESPONDENT

FINAL ORDER

THIS MATTER came before the Mississippi Board of Dental Examiners (“Board”) on October 27, 2023, to determine whether disciplinary actions should be imposed against the license to practice of Jeff Michael Zimmerman, D.D.S. (“Respondent”).

The Respondent, having been properly served, called on the day of the hearing and being fully informed of Respondent’s rights to a hearing before the Board, did not appear at the hearing. Board member, Wade C. Bishop, D.M.D., District IV Representative, recused himself from Board deliberations and the decision made by the Board in this matter. The case was called for hearing without objection from any party.

The hearing was held pursuant to the *Mississippi Dental Practice Act*, Title 73, Chapter 9 of the Mississippi Code of 1972, as amended, and pursuant to any and all other applicable Mississippi laws and regulations.

Having conducted the hearing in this matter and based upon the exhibits, testimony and the evidence presented, the Board makes the following findings of facts, conclusions of law and orders based on clear and convincing evidence:

FINDINGS OF FACT

1. The Board has jurisdiction in this matter pursuant to MISS. CODE ANN. § 73-9-13, 73-9-61, and 73-9-65. Venue is likewise properly placed before the Board to hear this matter in Hinds County, Mississippi.
2. The Board is established pursuant to the *Mississippi Dental Practice Act*, Title 73, Chapter 9 of the *Mississippi Code of 1972*, as amended, and is charged with the duty of licensing and regulating the practice of dentistry and dental hygiene in the State of Mississippi.
3. MISS. CODE ANN. § 73-9-17 authorizes the Board to adopt such rules and regulations as it finds necessary to conduct the business of the Board and to carry out its licensure and regulatory functions.
4. This matter was duly and properly convened and all substantive and procedural requirements under law have been satisfied.
5. The Board finds that Respondent was properly noticed of the Complaint and the date and time of the hearing in accordance pursuant to MISS. CODE ANN. § 73-9-65.
6. The Board finds that Respondent was not present at the Board hearing and was not represented by an attorney at such hearing.

7. Respondent is the holder of License Number 3437-07 issued by the Board and is, therefore, subject to the *Mississippi Dental Practice Act*.
8. The Board finds that Respondent is guilty of Charge I in the Complaint based upon the sworn testimony and the evidence admitted into the record at the hearing.
9. The Board finds that Respondent entered a Consent Order with the Board on or about March 31, 2023, agreeing that sufficient evidence existed to support a finding that Respondent had violated certain provisions of the *Mississippi Dental Practice Act* and Board Rules and Regulations, namely Miss. Code Ann. §73-9-61(1)(b), Miss. Code Ann. §73-9-61 (1)(l) and 30 Miss. Admin. Code Pt. 2301, R. 1.1, Board Regulation 1 – Code of Ethics. Respondent agreed to a five-year suspension of his dental license, automatically stayed, subject to Respondent’s compliance with the terms and conditions set forth in the Consent Order, including (1) paying a fine in the amount of \$2000 no later than April 30, 2023, (2) successful completion and unconditional passage of the PROBE (Professional/Problem Based Ethics) Ethics and Boundaries Program (“PROBE Program”) no later than June 29, 2023, and (3) successful completion of the PROBE Plus Program no later than March 31, 2024. By executing the Consent Order, Respondent agreed that failure to adhere to any of the terms of the Consent Order could result in further disciplinary action against Respondent’s license.
10. The Board finds that Respondent paid the fine untimely on June 27, 2023. The Board finds that Respondent completed the PROBE Program untimely, in that Respondent enrolled in the course on June 30, 2023 – a day after successful completion and unconditional passage of the Program was required under the Consent Order. The Board finds that Respondent participated in the August 24-26, 2023 PROBE Program, and earned unconditional passage as provided in the PROBE Program Evaluation and Assessment Report issued on September 21, 2023.

CONCLUSIONS OF LAW

1. The Board finds that Respondent violated MISS. CODE ANN. § 73-9-61(o), in that Respondent violated the terms and conditions of the Consent Order approved by the Board on or about March 31, 2023, when Respondent failed to timely pay the fine as ordered therein, and when Respondent failed to timely complete and unconditionally pass the PROBE Program as ordered therein.
2. The Board imposes the herein referenced discipline for said guilty findings.
3. Respondent shall pay a fine of \$1000 dollars which must be received at the Board of Dental Examiners on or before thirty (30) calendar days from the date the Board executes this Order. In addition, Respondent must enroll in the Probe Plus Course on or before March 31, 2024. Failure on the part of the Respondent to either pay the fine or enroll in the Probe Plus Course according to these terms will result in an immediate suspension of licensure for thirty (30) calendar days for failing to timely pay the fine and an additional thirty (30) day suspension for failing to enroll in the Probe Plus Course on or before March 31, 2024. Licensure will be reinstated automatically at the expiration of the thirty calendar days after such failure.

ORDER

IT IS THEREFORE ORDERED that Respondent, Jeff Michael Zimmerman, D.D.S., the holder of License Number 3437-07, shall be and is hereby found guilty of Charge I in the Complaint by reason of sworn testimony and evidence admitted into the record at the hearing.

IT IS FURTHER ORDERED that, for the violations cited above, Respondent shall pay a fine of \$1000 dollars which must be received at the Board of Dental Examiners on or before thirty (30) calendar days from the date the Board executes this Order. In addition, Respondent must enroll in the Probe Plus Course on or before March 31, 2024. Failure on the part of the Respondent to either timely pay the fine or enroll in the Probe Plus Course will result in an immediate suspension of licensure for thirty (30) calendar days. The first thirty (30) calendar day suspension would begin in the event the fine is not timely paid and, in the event, Respondent does not enroll in the Probe Plus Course on or before March 31, 2024 the second thirty (30) day suspension will occur.

IT IS FURTHER ORDERED that this Final Order shall be served upon Respondent, Jeff Michael Zimmerman, License Number 3437-07, by Certified Mail.

SO ENTERED, on this day, Jan 23, 2024.

MISSISSIPPI BOARD OF DENTAL EXAMINERS

[BOARD SEAL]

BY: Dr. Robert Smith
Dr. Robert Smith (Jan 23, 2024 18:16 CST)

ROBERT L. SMITH, JR. D.D.S.
BOARD PRESIDENT

NOTICE OF APPEAL RIGHTS

Jeff Michael Zimmerman, Respondent, has the right to appeal the decision of the Board to the chancery court of the county in which Respondent resides in accordance with MISS. CODE ANN. § 73-9-65.

Dr. Zimmerman, Jeff Michael - Final Order

10-27-2023

Final Audit Report


2024-01-24

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