

**BEFORE THE MISSISSIPPI STATE
BOARD OF DENTAL EXAMINERS**

**IN THE MATTER OF MISSISSIPPI:
DENTAL LICENSE NO. 3305-04**

**JASON CHRISTOPHER PAPANIA, D.M.D.
11625 BLUFF LANE
GULFPORT, MS 39503**

RESPONDENT

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DOCKET NO. 2023-096

CONSENT ORDER

WHEREAS, RESPONDENT, JASON CHRISTOPHER PAPANIA, D.M.D., has been vested with the right and privilege to practice dentistry in the State of Mississippi by virtue of License No. **3305-04**, issued by the Mississippi State Board of Dental Examiners (hereinafter referred to as “Board”).

WHEREAS, RESPONDENT, JASON CHRISTOPHER PAPANIA, D.M.D., has agreed to enter into a **CONSENT ORDER** which would, upon approval and execution by the Board, avoid initiation of formal disciplinary proceedings.

FINDINGS OF FACT AND CONCLUSIONS OF LAW

1. **RESPONDENT** agrees that sufficient evidence exists to constitute a violation of: Miss. Code Ann. § 73-9-61 (1)(b), in that **RESPONDENT** willfully violated any of the rules or regulations duly promulgated by the Board, or of any of the rules or regulations duly promulgated by the appropriate dental licensure agency of another state or jurisdiction; namely, that **RESPONDENT** violated 30 Miss. Admin. Code Pt. 2301, R. 1.55, Board Regulation 55 – Trade Names and Corporate Practice. Board Regulation 55 (2.)(A.) states, “Each corporate or trade name shall be registered with the Board by any licensed dentist(s), who must be associated with the dental facility and who shall assume

responsibility for compliance with the section. Each corporate or trade name must be approved by the Board prior to the use of the name. Names which in the judgment of the Board are false, misleading, or deceptive will be prohibited.” Specifically:

- a. On or about September 28th, 2017, **RESPONDENT** applied for Board-approval of the corporate trade name, “Medical Analysis Dental,” for the dental facility located at 1025 Division Street, Suite F, in Biloxi, MS 39530. At its meeting on November 10th, 2017, the Board rejected use of the corporate trade name, “Medical Analysis Dental.”
- b. On or about February 08th, 2018, **RESPONDENT** applied for Board-approval of the corporate trade name, “Dental Analysis,” for the dental facility located at 1025 Division Street, Suite F, in Biloxi, MS 39530. At its meeting on May 11th, 2018, the Board approved use of the corporate trade name, “Dental Analysis.”
- c. On or about August 18th, 2023, a Board investigator witnessed the name “Papania Family Dentistry, Medical Analysis, Dentist,” conspicuously posted to the outside of the dental facility located at 1025 Division Street, Suite F, in Biloxi, MS 39530. Additionally, the Board investigator retrieved a business card from inside the dental facility located at 1025 Division Street, Suite F, in Biloxi, MS 39530, which bore the heading, “Medical Analysis,” and name, “Medical Analysis Family Dentistry,” and identified two (2) locations – at the Biloxi address above and at 410 Security Square in Gulfport, MS 39057. **RESPONDENT** utilized and/or advertised the corporate trade names, “Papania Family Dentistry, Medical Analysis, Dentist” and “Medical Analysis Family Dentistry” without Board approval, in violation of Board Regulation 55.

IT IS, THEREFORE, STIPULATED AS FOLLOWS:

1. That this **CONSENT ORDER** is entered into freely, willingly and voluntarily by all the parties without threats or promises, and further, such **CONSENT ORDER** is entered into in lieu of having a full administrative hearing before the Mississippi State Board of Dental Examiners.

2. That **RESPONDENT** hereby voluntarily, willingly, and freely waives all **RESPONDENT'S** due process rights, including but not limited to, the right to a hearing whereby **RESPONDENT** could:
 - a. Appear either personally or by counsel or both,
 - b. Cross-examine any witnesses who may testify against **RESPONDENT**,
 - c. Present testimony, evidence, and witnesses on **RESPONDENT'S** behalf, and
 - d. Have subpoenas issued by the Board on **RESPONDENT'S** behalf.

3. The Mississippi State Board of Dental Examiners is established pursuant to 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. The **RESPONDENT** is the holder and/or applicant of a license issued by the Board and is, therefore, subject to Miss. Code Ann. § 73-9-1, et seq.

4. That it is understood and agreed that the purpose of this **CONSENT ORDER** is to avoid a formal disciplinary proceeding, including a full administrative hearing before the Board. As such, **RESPONDENT** authorizes the Board to review and examine any documentary evidence or information concerning **RESPONDENT** prior to or in conjunction with its consideration of the **CONSENT ORDER**.


5. That this **CONSENT ORDER** shall be subject to approval by the Board. If the Board fails to approve the **CONSENT ORDER**, it shall have no force or effect on the parties.

6. That should this **CONSENT ORDER** not be approved by the Board, it is agreed that the presentation and consideration of the **CONSENT ORDER**, including any documentary evidence and information related thereto, shall not unfairly or illegally prejudice the Board or any of its members from participation in hearings or other proceedings pertaining to these or other matters regarding **RESPONDENT**.

7. **PENALTIES.** That upon approval and execution of this **CONSENT ORDER** by the Board, **RESPONDENT** agrees to the following penalties which are authorized by Miss Code Ann. § 73-9-61 (West).
- a. **FINE.** **RESPONDENT** shall pay a fine in the amount of **\$500.00**, which must be received in the Board’s office within thirty (30) calendar days from the date the Board approves and executes this **CONSENT ORDER**. A certified check for payment of the **FINE** should be made payable to the “Mississippi State Treasury.”
 - b. **REMOVAL OF SIGNAGE AND OTHER REPRESENTATIONS.** Within thirty (30) calendar days from the date the Board approves and executes this **CONSENT ORDER**, **RESPONDENT** shall cause to be removed all signage, advertisements, and any other public representations related to the dental office located at 1025 Division Street, Suite F, in Biloxi, MS, that uses the terms “Medical Analysis Dentistry” and/or “Medical Analysis.” **RESPONDENT** shall submit sufficient photographic evidence to the Board to demonstrate compliance with this provision. The photographic evidence should, at a minimum, address signage/billboards, the front door to the public entrance of the facility located at 1025 Division Street, Suite F, in Biloxi, MS, and business cards.
 - c. **COSTS.** Pursuant to Miss. Code Ann. § 73-9-61 (4)(d), **RESPONDENT** shall pay the reasonable costs of these proceedings in an amount to be determined by the Board within thirty (30) calendar days from the date the Board sends the notice of costs. A certified check for payment of the **COSTS** should be made payable to the Board.
 - d. **JURISPRUDENCE EXAM.** Within thirty (30) days from the date the Board approves and executes this **CONSENT ORDER**, **RESPONDENT** shall successfully complete the Mississippi Jurisprudence Examination. **RESPONDENT** must request online access to the exam from the Board’s staff.

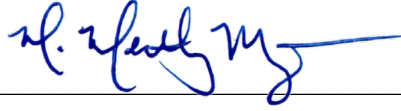
- e. **COMPLIANCE. RESPONDENT** shall comply with all terms and conditions of this **CONSENT ORDER** and all laws and regulations related to the practice of dentistry in Mississippi. It is **RESPONDENT’S** responsibility to ensure that the Board timely receives satisfactory evidence of **RESPONDENT’S** compliance with this **CONSENT ORDER**.
8. That **RESPONDENT** accepts the above penalties and acknowledges that **RESPONDENT’S** license is conditioned on full compliance with these terms. Failure to adhere to any of the terms of this **CONSENT ORDER** may result in further disciplinary action against **RESPONDENT’S** license.
9. That the **RESPONDENT** does hereby fully, completely and finally release the Board, its agents, servants or employees from any and all claims, charges, demands, damages, costs, expenses, actions and causes of action of every kind and nature which the **RESPONDENT** may now or hereafter have related to this **CONSENT ORDER** between the **RESPONDENT** and the Board. The Mississippi State Board of Dental Examiners admits no liability in any way related to this **CONSENT ORDER**.
10. That upon approval and execution of this **CONSENT ORDER** by the Board, this document will be a public record and will be entered as a **FINAL ORDER** of the Board. Further, the **FINAL ORDER** will be reported as disciplinary action to the American Association of Dental Boards (AADB) and to all federally mandated data banks.

AGREED TO:


Jason Papania (Jan 25, 2024 19:35 CST)

JASON CHRISTOPHER PAPANIA, D.M.D.

APPROVED AS TO FORM AND SUBSTANCE



W. Westley Mutziger
Board Counsel, MSBDE

MISSISSIPPI STATE BOARD OF DENTAL EXAMINERS

SO APPROVED & ORDERED BY:

Robert Smith
Robert Smith (Jan 28, 2024 14:17 CST)

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











Dr. Papania, Jason Christopher - Proposed Amended CO

Final Audit Report

2024-01-28

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