

BEFORE THE INDIANA STATE BOARD
OF DENTISTRY
CAUSE NUMBER: 2006 ISDB 0004

STATE OF INDIANA,)
)
Petitioner,)
)
v.)
)
STEPHEN LEROY BALLARD, D.D.S.)
LICENSE NO.: 12008641,)
)
Respondent.)



COMPLAINT

The State of Indiana, by counsel, Deputy Attorney General, Linda M. Batten, on behalf of the Office of the Attorney General ("Petitioner"), and pursuant to Indiana Code § 25-1-7-7 et seq., Ind. Code §25-1-5-3, Ind. Code §25-26-13-4 et seq., the Administrative Orders and Procedures Act, Ind. Code § 4-21.5-3 et seq. and Ind. Code § 25-1-9-1 et seq. files its Complaint against the Indiana State Board of Dentistry's license of Stephen Leroy Ballard, D.D.S. ("Respondent"), and in support alleges and states:

FACTS

1. Respondent's address on file is 1030 Washington Avenue, Evansville, Indiana and he is a licensed Dentist in the State of Indiana holding license number 12008641.
2. During March and April, 2006, representative(s) of the Dental Well-Being Program received information from credible sources which indicated that the Respondent had possible substance abuse impairment.
3. On or about May 3, 2006, or May 4, 2006, the program director of the Dental Well-Being Program spoke with the Respondent.

4. Respondent admitted to consuming alcoholic beverages while at work in his capacity as a dentist in the State of Indiana.

5. Respondent confirmed that he had been confronted by a staff member just prior to Christmas, 2005, concerning his consumption of alcohol while at his place of employment during business hours.

6. Respondent underwent a substance abuse evaluation at Rush Behavioral Center ("Rush") on July 26-28, 2006.

7. Respondent has been on summary suspension since July 7, 2006. Respondent and his attorney had agreed to subsequent extensions of the summary suspension until Respondent was evaluated and treated by Rush.

8. Respondent is currently receiving substance abuse treatment at Rush for approximately eight (8) weeks beginning around the first week of September 2006.

9. Respondent indicates he plans to sign a recovery monitoring agreement with the Dental Well-Being Program.

COUNT I

1. The conduct described above constitutes a violation of Indiana Code § 25-1-9-4(4)(D) in that Respondent has continued to practice although she has become unfit to practice due to addiction to, abuse of, or severe dependency upon alcohol or other drugs that endanger the public by impairing her ability to practice.

2. Respondent's failure to comply with the above referenced standards is cause for disciplinary sanctions which may be imposed singly or in combination such as censure, a letter of reprimand, probation, suspension, or a revocation of license, and a fine up to the amount of \$1000.00 per violation, as detailed at Ind. Code § 25-1-9-9 and Ind. Code § 25-23-1-7.

WHEREFORE, Petitioner demands an order against the Respondent, that:

1. Imposes the appropriate disciplinary sanction;
2. Directs Respondent to immediately pay all the cost incurred in the prosecution of this case; and;
3. Provides any other relief the Board deems just and proper.

Respectfully submitted,

STEVE CARTER
Attorney General of Indiana

By: Linda M. Batten
Linda M. Batten
Deputy Attorney General
Attorney Number: 25476-49

CERTIFICATE OF SERVICE

I certify that a copy of the foregoing has been served upon the Respondent's counsel at the addresses listed below, by first class United States mail, postage prepaid, on this

17th day of October, 2006:

Stephen Leroy Ballard, D.D.S.

c/o

John David Hoover, Esq.

Hoover Hull, LLP

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Linda M. Batten

Deputy Attorney General

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