

BEFORE THE NORTH CAROLINA STATE BOARD OF DENTAL EXAMINERS

IN THE MATTER OF:

Jiaming Geng, D.D.S.
(License No. 10171)

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**CONSENT ORDER OF
PERMANENT SURRENDER**

THIS MATTER is before the North Carolina State Board of Dental Examiners ["Board"] as authorized by N.C. Gen. Stat. § 90-231(b) for consideration of a Consent Order of Permanent Surrender at the request of Respondent Jiaming Geng, D.D.S. ["Respondent"] in lieu of a formal administrative hearing. Colleen N. Shea represented Respondent. Douglas J. Brocker and Crystal S. Carlisle represented the Investigative Panel ["IP"]. Respondent acknowledges that the Board has sufficient evidence to establish the Findings of Fact and Conclusions of Law and to warrant the Order of Discipline set out in this Consent Order.

Based upon the consent of the parties hereto, the Board enters the following:

FINDINGS OF FACT

1. The Board is a body duly organized under the laws of North Carolina and is the proper party to bring this proceeding pursuant to the authority granted to it in Chapter 90 of the North Carolina General Statutes, including the Dental Practice Act, and the Rules and Regulations of the Board.

2. Respondent was licensed to practice dentistry in North Carolina on July 24, 2015 by military endorsement, has held license number 10171, and worked as a general dentist at her own practice in Morehead City, North Carolina.

3. At all times relevant to this Consent Order, Respondent was subject to the Dental Practice Act and the Board's Rules and Regulations.

4. In 2020, the IP began an investigation into Respondent based on a complaint alleging multiple sterilization and infection control violations.

5. Based on the Board investigators' findings, Respondent entered a Consent Order summarily suspending her dental license effective October 4, 2021.

6. The Board held a settlement conference for Respondent on November 12, 2021 and recommended a Consent Order. Respondent agreed to a Consent Order of Discipline, which was entered on December 20, 2021 and indefinitely suspended Respondent's dental license ("2021 Consent Order of Indefinite Suspension").

7. The 2021 Consent Order of Indefinite Suspension concluded, and Respondent agreed, that she violated N.C. Gen. Stat. §§ 90-41(6) and (23) and 21 NCAC 16J .0101 and .0103 regarding sterilization and infection control involving potential cross-contamination and transmission of infections. The remaining findings, conclusions and conditions of the 2021 Consent Order of Indefinite Suspension are incorporated by reference herein.

8. The 2021 Consent Order of Indefinite Suspension included an option for Respondent to petition to lift the indefinite suspension upon completion of multiple conditions, including several remedial steps related to sterilization and infection control that are incorporated by reference herein.

9. On April 28, 2022, Respondent petitioned for reinstatement of her dental license and provided evidence that she met the requirements for conditional reinstatement.

10. On July 15, 2022, the Board granted Respondent's petition for reinstatement, subject to the conditions, restrictions, and limitations set forth in Paragraph 2 (a)-(c) of the 2022 Consent Order of Conditional Reinstatement.

11. The 2022 Consent Order of Conditional Reinstatement specified that if Respondent failed to comply with any provision contained in it, the Board must promptly schedule a Show Cause Hearing to allow Respondent to show cause as to why the indefinite suspension of her license should not be activated for violating a valid order of the Board.

12. In March 2024, a former employee of Respondent filed a complaint with the Board alleging that Respondent violated various provisions related to sterilization and infection control involving patients and the public.

13. On April 1, 2024, Board investigators conducted an inspection of Respondent's office and identified multiple violations concerning sterilization and infection control involving cross-contamination and potential transmission of infections, which are set forth in the Notice of Hearing issued in this matter on May 20, 2024 and incorporated herein by reference.

14. On the April 1, 2024 inspection, Respondent was still on probation under the terms of the 2022 Consent Order of Conditional Reinstatement, which specified that Respondent could not violate any provisions of the Dental Practice Act or the Board's Rules and Regulations.

15. Based on the evidence gathered at the April 1, 2024 inspection, Respondent consented to a summary suspension of her license.

16. The Board entered the Consent Order Summarily Suspending Respondent's dental license on April 5, 2024.

17. The April 2024 Consent Order of Summary Suspension ordered Respondent to immediately cease the practice of dentistry in North Carolina and surrender her license and current renewal certificate pending further order of the Board.

18. Subsequent to the entry of the April 2024 Consent Order of Summary Suspension and its service on her, the Board contends that Respondent provided dental care and treatment to one or more patients while summarily suspended.

19. A Board investigator was sent to investigate Respondent's continued practice while summarily suspended. The Board investigator observed individuals leaving Respondent's practice, went into Respondent's dental practice, requested that Respondent print the dental records for certain patients, and planned to conduct a follow up sterilization inspection.

20. The Board investigator walked outside Respondent's office to make a phone call, and contends that Respondent locked him out of her office. The Board investigator contends he could not regain entry to obtain the records or conduct the inspection.

Based upon the foregoing Findings of Fact and with the consent of the parties hereto, the Hearing Panel enters the following:

CONCLUSIONS OF LAW

1. The Board has jurisdiction over the subject matter of this action and over Respondent.

2. Respondent was properly notified of this matter and has consented to the entry of this Consent Order.

3. By engaging in the conduct set forth in Findings of Fact 4-20, the Board contends that Respondent violated:

- a. N.C. Gen. Stat. §§ 90-41(a)(6) and (a)(23) and 21 NCAC 16J .0103 by persistently maintaining unsanitary offices, practices, or techniques concerning sterilization or infection control in the practice of dentistry;
- b. N.C. Gen. Stat. §§ 90-41(a)(6), (a)(26), and 21 NCAC 16V .0101(25) by refusing to permit a Board agent or employee to conduct a sterilization inspection in violation, and to produce patient records;
- c. N.C. Gen. Stat. §§ 90-41(a)(6), (a)(26), and 21 NCAC 16V .0101(4) and the terms and conditions of the 2022 Consent Order of Conditional Reinstatement by engaging in the conduct set out above; and
- d. N.C. Gen. Stat. §§ 90-41(a)(6), (a)(26), (b) and 21 NCAC 16V .0101(4) and the April 2024 Consent Order of Summary Suspension by providing dental care and treatment to one or more patients while summarily suspended.

4. By violating the 2022 Consent Order of Conditional Reinstatement, Respondent is subject to having the indefinite suspension of her dental license activated.

5. By violating the Dental Practice Act and the Board's Rules and Regulations after entry of the 2022 Consent Order of Conditional Reinstatement, Respondent is

subject to additional discipline by the Board, including revocation of her license pursuant to N.C. Gen. Stat. § 90-41(a)(iii).

6. By providing or by supervising ancillary personnel in providing dental care and treatment to one or more patients while her license was summarily suspended, Respondent is subject to discipline, including the permanent revocation of her dental license pursuant to N.C. Gen. Stat. § 90-41(b).

7. This consent to permanent surrender shall have the same effect as a permanent revocation pursuant to N.C. Gen. Stat. § 90-41(b).

Based upon the foregoing Findings of Fact and Conclusions of Law, and with the consent of the parties hereto, it is ORDERED as follows:

ORDER OF DISCIPLINE

Respondent permanently surrenders her license to practice dentistry, license number 10171, which becomes effective upon entry of this Consent Order, and acknowledges and agrees that she cannot reapply for or regain a license to practice dentistry in North Carolina at any time in the future. Respondent acknowledges and agrees that she is not authorized to engage in any acts constituting the practice of dentistry under the Dental Practice Act. Respondent has submitted to the Board her original license and her 2024 renewal in connection with her permanent surrender.

This the 31st day of May 2024.

THE NORTH CAROLINA STATE
BOARD OF DENTAL EXAMINERS



Casie S. Goode
Deputy Operations Officer



STATEMENT OF CONSENT

I, Jiaming Geng, D.D.S., do hereby certify that I voluntarily and knowingly elect to permanently surrender my dental license and agree that I cannot reapply for a dental license in North Carolina at any time in the future. I understand that I can never regain my dental license in this State, and that the Board will not consider nor hold any hearing on any potential future attempt to reapply, reinstate, or regain my license. I have read the foregoing Consent Order in its entirety. I assent to its terms and conditions set out herein. I freely and voluntarily acknowledge that there is sufficient evidence to form a factual basis for the findings of fact herein, that the findings of fact support the conclusions of law, that I will not contest the findings of fact, the conclusions of law, or the order in any future proceedings before or involving the Board. I knowingly waive any right to seek judicial review, appeal, or otherwise later challenge this Consent Order once entered. I agree to service of the Consent Order to the email or mailing address of record with the Board and waive service by any other method. I understand that the Board will report the contents of this Consent Order to the National Practitioner Data Bank and that this Consent Order will become part of the Board's permanent public record. I further acknowledge that this required reporting may have adverse consequences in other contexts and any potential effects will not be the basis for a reconsideration of this Consent Order. I consent solely for the purposes of this proceeding and any future proceedings before or involving the Board. I do not admit civil liability nor bind myself in any way in other proceedings not involving the Dental Board. I consulted with counsel prior to signing this Consent Order.

This the 31 day of May 2024.


Jiaming Geng, D.D.S.