

BEFORE THE NORTH CAROLINA STATE BOARD OF DENTAL EXAMINERS

IN THE MATTER OF: )  
 )  
Kiya Green, D.D.S. )  
(License No. 8522, Permit No. 0522) )

**CONSENT ORDER OF  
INDEFINITE SUSPENSION**

THIS MATTER is before the North Carolina State Board of Dental Examiners ["Board"], as authorized by G.S. § 90-231(b), for consideration of a Consent Order of Indefinite Suspension in lieu of a formal administrative hearing. Respondent Kiya Green, D.D.S. ["Respondent"] acknowledges that the Board has sufficient evidence to prove and establish the Findings of Fact and Conclusions of Law and to warrant this Consent Order. Respondent represented herself. Douglas J. Brocker represented the Board's Investigative Panel. 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 set forth in 21 North Carolina Administrative Code Chapter 16.
2. Respondent was licensed to practice dentistry in North Carolina on January 28, 2008, and at all times relevant hereto, held license number 8522 and sedation permit number 0522.
3. Respondent has been, and continues to be, subject to the Dental Practice Act and the Board's rules and regulations at all times relevant to this Consent Order.

4. On September 28, 2023, a Board investigator conducted a sedation facility inspection at Respondent's office. During the inspection, the Board investigator identified some issues that raised concerns regarding Respondent's ability to practice dentistry safely.

5. Respondent cooperated with the Board's investigator in all respects, and at the Board's request, agreed to undergo an independent forensic evaluation facilitated by North Carolina Caring Dental Professionals ("NC CDP").

6. Respondent participated in the forensic evaluation during November and December 2023.

7. In a report dated February 11, 2024, the forensic evaluator determined that Respondent has a medical condition that likely prevents her from practicing dentistry safely.

8. On February 19, 2024, based on the report, Respondent consented to a summary suspension of her dental license and permit.

9. According to the forensic report received by the Board, there does not appear to be a current solution to Respondent's medical condition that would readily restore Respondent's capacity to practice dentistry safely.

10. Respondent has cooperated fully at all times with the Board's investigation.

11. After receiving the forensic report and consenting to the summary suspension, Respondent elected not to renew her dental license and sedation permit, both of which expired on March 31, 2024.

Based on the above Findings of Fact, the Board reaches the following:

## CONCLUSIONS OF LAW

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

2. Due to a medical condition outside of her control, Respondent currently is medically disabled and therefore not fit to practice dentistry warranting protective measures pursuant to N.C. Gen. Stat. § 90-41(a)(7).

3. Based on Respondent's documented medical disability, protection of the public requires that Respondent's dental license and sedation permit be suspended indefinitely unless and until she can demonstrate that she is safe to resume practice.

Based upon the foregoing Findings of Fact and Conclusions of Law, the Board enters the following:

## ORDER OF DISCIPLINE

1. The North Carolina dental license and sedation permit of Respondent, Kiya Green, D.D.S., are hereby **INDEFINITELY SUSPENDED**.

2. Respondent may petition the Board to lift the indefinite suspension and reinstate her North Carolina dental license and potentially her sedation permit, along with submitting application(s) for reinstatement in accordance with the Board's regulations in effect at the time. Respondent would have the burden to demonstrate by clear and convincing evidence that she can safely resume the practice of dentistry and potentially the administration of sedation. Any petition for reinstatement submitted by Respondent must show that Respondent has undergone a new forensic evaluation by a Board-approved professional and that the forensic evaluator has determined that

Respondent is fit to practice dentistry and potentially administer sedation safely. NC CDP shall facilitate any new forensic evaluation to be relied upon by Respondent in seeking reinstatement of her dental license.

3. If the Board approves Respondent's petition and reinstates Respondent's North Carolina dental license and potentially her sedation permit in the future, the Board may impose probationary terms and conditions of reinstatement deemed necessary for the protection of the public.

4. Respondent recognizes that the conditions, limitations, or requirements set forth in this Consent Order, including those necessary for potential reinstatement, may present her with certain practical difficulties. The Board concludes that each one is necessary to ensure public protection and it does not intend to modify or eliminate any of the conditions, limitations, or requirements set forth herein based on such potential difficulties.

5. The Board shall retain jurisdiction of this matter and Respondent to enforce the provisions herein or enter orders as necessary in the future.

This the 7<sup>th</sup> day of may 2024.

THE NORTH CAROLINA STATE  
BOARD OF DENTAL EXAMINERS

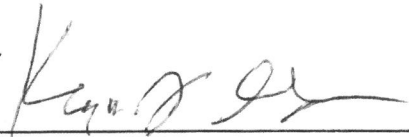


BY: Casie S. Goode  
Casie S. Goode  
Deputy Operations Officer

## STATEMENT OF CONSENT

I, Kiya Green, D.D.S., do hereby certify that I have read the foregoing Consent Order in its entirety. I assent to the terms and conditions set out herein. I freely and voluntarily admit that there is a factual basis for the findings of fact herein, that the findings of fact support the conclusions of law, and that I will not contest the findings of fact, the conclusions of law, or the consent order of discipline in any future proceedings before or involving the Board, including if future disciplinary proceedings or action is warranted in this matter. I knowingly waive any right to seek judicial review, appeal, or otherwise later challenge this Consent Order once entered. 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 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 have had the opportunity to consult with an attorney prior to signing this Consent Order.

This the 6 day of MAY 2024.

  
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Kiya Green, D.D.S.

### Waiver of Limited Ex Parte Communication

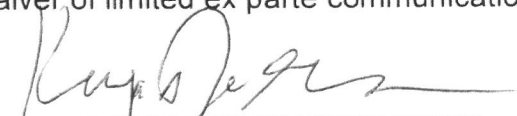
I understand that the proposed Consent Order that I have signed is subject to review and approval and is not effective until approved by the Hearing Panel. **I agree and consent that the Hearing Panel members may be provided the proposed Consent Order for review and consideration.**

**I further agree and consent that the Board staff, the Investigative Panel (IP), and its counsel may discuss the proposed Consent Order and related information and documentation with Hearing Panel members for the purpose of advocating approval of the proposed Consent Order without me or my counsel being present.**

**If the proposed Consent Order is not approved, I agree and consent that neither I nor anyone on my behalf will assert that that these limited ex parte communications, including review of the documents, will disqualify any Hearing Panel members from considering and deciding this matter after a contested case hearing.**

I also agree that I am not entitled to obtain or discover the above-referenced limited communications or the substance of these communications between the Hearing Panel members and the Board staff, the IP, and its counsel, regardless of whether the proposed Consent Order is approved.

I have had the opportunity to consult with counsel before signing and agreeing to this waiver of limited ex parte communication.

  
\_\_\_\_\_  
Kiya Green, D.D.S.

MAY 6, 2024  
Date