

BEFORE THE NORTH CAROLINA STATE BOARD OF DENTAL EXAMINERS

IN THE MATTER OF:

GRAY LEBREA AMOS, R.D.H.)
(License Number 8464))

CONSENT ORDER

THIS MATTER is before the North Carolina State Board of Dental Examiners (Board) as authorized by G.S. §90-231 for consideration of a Consent Order in lieu of a formal administrative hearing. Based upon the record herein and the consent of the parties, the Board enters the following:

FINDINGS OF FACT

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

2. Gray LeBrea Amos, R.D.H. (Respondent) was licensed to practice dental hygiene in North Carolina and was the holder of License No. 8464 issued by the Board on June 12, 2007.

3. The Respondent was at all times relevant hereto subject to the Dental Hygiene Practice Act and the rules promulgated thereunder.

4. In August 2007, Respondent contacted the North Carolina Caring Dental Professionals program and stated that she had an alcohol problem. On September 5, 2007, she signed a CDP contract.

5. Her CDP contract required that she obtain an assessment from a provider approved by the CDP. Respondent failed to present for an assessment and was therefore in violation of her CDP contract.

6. On September 14, 2007 the CDP notified the Board of Respondent's noncompliance. On October 1, 2007 the Board notified the Respondent that she must present for an assessment.

7. On October 31, 2007, Respondent obtained an assessment and was diagnosed with alcohol abuse and mild depression. The assessment recommended that she comply with the CDP, participate in an outpatient treatment center and attend AA meetings.

8. On November 21, 2007, the Investigative Panel notified Respondent that she must immediately return to the CDP, sign a new contract with the CDP for a minimum of three years and attend intensive outpatient treatment.

9. Respondent did not respond to the Investigative Panel and failed to contact the CDP. Therefore, on December 7, 2007, the Board summarily suspended her license to practice dental hygiene.

10. Although Respondent subsequently participated in an out-patient treatment program, she has not presented convincing evidence that her alcohol addiction is sufficiently under control to permit her to safely resume her work as a dental hygienist.

11. On February 19, 2008 Respondent tested with an unexplained low creatinine level. And on April 18, 2008, she had a positive ETG test.

12. The CDP has withdrawn advocacy for Respondent and she is no longer in the program.

Based upon the consent of the parties and the foregoing Findings of Fact, the Board hereby enters the following:

CONCLUSIONS OF LAW

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

2. Respondent's failure to comply with her contract with the North Carolina Caring Dental Professionals constitutes a violation of 21 NCAC 16V.0102(10).

3. Respondent's violation of 21 NCAC 16V.0101(10) constitutes a violation of G.S. §90-229(a)(6) and (12).

4. Respondent is a chronic or persistent user of intoxicants, drugs or narcotics to the extent that her ability to practice dental hygiene is impaired, in violation of N.C. General Statute §90-229(a)(4).

ORDER OF DISCIPLINE

WHEREFORE, based upon the foregoing Findings of Fact and Conclusions of Law, and pursuant to the authority set forth in G.S. §90-229(a), it is ORDERED as follows:

1. License Number 8464 issued to Respondent for the practice of dental hygiene in North Carolina is hereby suspended indefinitely.

2. Respondent may petition the Board for the reinstatement of her dental hygiene license upon demonstrating that:

- (a) She entered into a contract with the North Carolina Caring Dental Professionals (CDP). The terms of the contract are at the sole discretion of the CDP. Respondent must comply with all provisions of that contract. Respondent shall sign a release with the Caring Dental Professionals permitting them to submit monthly reports to the Board regarding her progress in the program.
- (b) She has completed treatment.
- (c) The Caring Dental Professionals is willing to advocate for Respondent and makes a recommendation to the Board supporting Respondent's return to the active practice of dental hygiene.

3. Any order of reinstatement may contain such other and further conditions and/or probationary terms as the Board shall deem fit.

This the 10 day of November 2008.

BY: 
Terry W. Friddle
Deputy Operations Officer

STATEMENT OF CONSENT

I, GRAY LEBREA AMOS, R.D.H., do hereby certify that I have read the foregoing Consent Order in its entirety and agree to the Findings of Fact, Conclusions of Law and Order of Discipline set out herein. I understand that the Board will report the contents of this Consent Order to the National Practitioner Data Bank and that this Consent Order shall become a part of the permanent public record of the Board.

This the 5th day of November, 2008.

Gray Lebrea Amos, R.D.H.
GRAY LEBREA AMOS, R.D.H.