

2. The Respondent, Edward C. Bonomo (Respondent) was licensed to practice dentistry in North Carolina on June 22, 1970. His license was duly renewed through the current year.

3. At all times relevant hereto Respondent was subject to the Dental Practice Act and the Board's regulations promulgated thereunder.

4. The Respondent was properly served with the Notice of Hearing and had proper notice of the hearing dates.

5. On July 28, 2008, the Dental Board and Respondent entered into a Consent Order (July 2008 Consent Order), whereby Respondent's license to practice dentistry was suspended for six months. The July 2008 Consent Order provisionally restored Respondent's license for five years with no active suspension on condition, among other things, that he successfully completed courses at the UNC School of Dentistry on the subjects of ethics, record keeping and jurisprudence by July 28, 2009.

6. The July 2008 Consent Order also required Respondent to complete a Board approved course in anger management by July 28, 2009 and to provide the Board with copies of the initial and final assessments resulting from the course within 14 days of completing the course.

7. Respondent was aware of the terms of the July 2008 Consent Order. He was also aware that he should contact the Dental Board staff if he had questions concerning the Order.

8. Respondent never contacted the Dental Board staff with any questions about the July 2008 Consent Order.

9. Respondent did not request additional time to comply with any of the terms of the July 2008 Consent Order and no Order has been entered permitting him more time to comply with the July 2008 Consent Order.

10. The July 2008 Consent Order has not been overturned or modified.

11. Respondent took a course in anger management in February 2009, but did not seek or obtain approval from the Dental Board before taking the course.

12. Respondent did not provide the Board with copies of any assessments produced pursuant to the anger management course.

13. Respondent failed to take any courses in ethics, record keeping and jurisprudence through the UNC School of Dentistry. As of the date of the hearing herein, he had not contacted the Dental School to determine what courses were available or the cost of such courses.

14. Although Respondent testified that he experienced personal and financial problems following the entry of the July 2008 Consent Order, he failed to produce any convincing evidence that these problems prevented his compliance with the terms of the Order.

15. On March 24, 2010, and subsequent to the formal hearing in this matter, Respondent did complete a remedial course in dental ethics and jurisprudence offered through the University of North Carolina School of Dentistry.

16. On April 8, 1991, the Dental Board entered a Final Agency Decision pursuant to which it found that Respondent had engaged in negligence in the treatment of two patients. The Board suspended Respondent's license to practice dentistry for five years, and provisionally restored his license after the 31st day of the active suspension period.

CONCLUSIONS OF LAW

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

2. By failing to complete the courses required by the July 2008 Consent order, Respondent violated a lawful Order of the Board entered in a disciplinary proceeding, and thereby violated 21 NCAC 16V .0101(4) and G.S. §§ 90-41(a)(6) and (26).

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. §90-41(a), it is ORDERED, ADJUDGED, and DECREED that:

1. Respondent shall voluntarily surrender his license and current renewal certificate to the Board at its offices on or before January 1, 2011, and retire from the practice of dentistry. Respondent shall at no time apply for the reinstatement of his North Carolina dental license.

2. Respondent shall reimburse Ms. Burgess for the cost of replacing her fixed upper bridge by a dentist of her choice, in the amount of \$5,286.00, on or before January 1, 2011;

This the 3 day of May, 2010.

THE NORTH CAROLINA STATE
BOARD OF DENTAL EXAMINERS

By: Terry W. Friddle
Terry W. Friddle
Deputy Operations Officer