

4. On January 13, 2006, Respondent applied for the renewal of her North Carolina dental hygiene license. As part of the renewal process, each applicant is required to answer seven questions relating to any criminal arrests or convictions they may have been involved in during the calendar year proceeding that particular renewal period. Respondent answered yes to five of the seven questions, indicating an arrest and conviction.

5. Respondent disclosed that on December 10, 2004, she had been charged with Driving While Impaired. She pled guilty to a Level 5 DWI and was sentenced to sixty (60) days in jail. The active sentence was suspended and she was placed on probation for twelve (12) months, along with several other probationary terms.

6. On January 10, 2009, Respondent applied for the renewal of her North Carolina dental hygiene license. Respondent answered yes to two of the eight questions on the application, indicating that she had pled guilty to the violation of any law or ordinance or for the commission of any felony or misdemeanor.

7. Respondent disclosed that on May 13, 2007, she was charged with Driving While Impaired and reckless driving to Endanger following a single car accident.

8. Following the accident and on her own accord, Respondent presented to A New Dimension, Inc., for a substance abuse assessment. The assessment was conducted on January 18, 2008. Respondent was diagnosed with Alcohol Dependence and was recommended for inpatient treatment at The Life Center of Galax in Galax, Virginia.

9. Respondent completed the two week inpatient treatment program in Galax on February 28, 2008 and returned to A New Dimension for a 12-week aftercare program.

10. On March 24, 2008, Respondent pled guilty to a Level 2 DWI and was sentenced to one (1) year in jail. Respondent's active sentence was suspended with the exception of twenty-one (21) days. Respondent served seven (7) days in the custody of the Burke County Sheriff's Department and she received fourteen (14) days credit for time spent at the inpatient treatment program. Respondent was placed on supervised probation for eighteen (18) months, along with several other probationary terms.

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 has read and understands the terms of this Consent Order and voluntarily agrees to it.

3. Respondent is a chronic or persistent user of alcohol to the extent that her ability to practice dental hygiene is impaired, in violation of N.C. Gen. Stat. 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 2778 issued to Respondent for the practice of dental hygiene in North Carolina is hereby suspended indefinitely.

2. Respondent's license shall be conditionally restored, with no active suspension, provided that for three (3) years she adheres to the following probationary terms and conditions:

- (a) Respondent shall violate no provision of the Dental Hygiene Act or the Board's Rules;
- (b) Respondent shall give written notice to the Board of the street and mailing addresses of her places of employment and residence. Respondent shall notify the Board of any changes of either address within ten days of the change;
- (c) Respondent shall submit to interviews by the Board or its authorized agent during regular office hours or at such other times as are mutually convenient. Respondent shall also arrange for the Board or its agent to interview her employer and co-employees during regular office hours;
- (d) Respondent shall inform all employers, in writing, of her recovery status and provide each employer with a copy of this Consent Order;
- (e) Respondent shall, upon entry of this Order, enter into a Board approved monitoring contract with the North Carolina Caring Dental Professionals program (CDP). Respondent shall comply with all terms of that contract. Respondent shall sign a release with the CDP

permitting them to submit monthly reports to the Board regarding her progress in the program;

- (f) Respondent shall not possess or use any controlled substances, alcohol or any other mood altering substance unless prescribed for her in the usual course of professional treatment. Respondent shall immediately notify the CDP of any medications prescribed, along with the name of the physician issuing the prescription. This must be accomplished prior to Respondent consuming the medication;
- (g) Respondent shall participate in the Board's drug screening program by submitting to random urine, blood and/or hair tests upon request by the Board or its authorized agent. Respondent shall pay the costs of any such tests upon notification in writing of such costs. Upon notification of a positive drug or alcohol screen, Respondent shall immediately cease practicing dental hygiene. For the Board's purposes, a missed screen constitutes a positive screen. **Respondent's participation in the CDP's drug screening program shall satisfy this provision provided that copies of all drug tests are submitted directly to the Board in addition to the CDP;**
- (h) If Respondent fails a drug or alcohol screen, consumes alcohol or is charged with an alcohol or drug related offense, the Board may require Respondent to undergo, at her expense, additional

assessments, treatment or monitoring. In such case, Respondent will not function as a dental hygienist until released by the Board to do so. For the Board's purposes, a missed screen constitutes a positive screen;

3. If Respondent fails to comply with any provision of this Order or breaches any term or condition thereof, the Board shall promptly schedule a public Show Cause Hearing to allow Respondent an opportunity to show cause why Respondent's license should not be immediately rescinded. If, as a result of the Show Cause Hearing, the Board is satisfied that Respondent failed to comply or breached any term or condition of this Order, Respondent's license shall be rescinded and upon written demand, Respondent shall immediately surrender her license and current renewal certificate to the Board. This sanction shall be in addition to and not in lieu of any sanction the Board may impose as a result of future violations of the Dental Practice Act or of the Board's Rules.

This the 24 day of July, 2009.

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

STATEMENT OF CONSENT

I, LISA K. CONNER, R.D.H., do hereby certify that I have read the foregoing Consent Order in its entirety and that I do freely and voluntarily admit, exclusively for the purposes of this disciplinary proceeding and any other disciplinary or licensure proceedings before this Board, that there is a factual basis for the allegations set forth therein, that these factual allegations, if proven, are legally sufficient to support findings and conclusions that I have violated G.S. §90-229(a)(4), and I will not contest the factual allegations therein should further disciplinary action be warranted in this matter, and that I assent to the terms and conditions set forth therein. I hereby express my understanding 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 21 day of July, 2009.

Lisa K. Conner, R.D.H.
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