

BEFORE THE NORTH CAROLINA STATE BOARD OF DENTAL EXAMINERS

IN THE MATTER OF:

PAUL P. HEDRICK, D.D.S.)
(License No. 2798)) CONSENT ORDER

THIS MATTER is before the North Carolina State Board of Dental Examiners (Board) as authorized by G.S. 90-41.1(b) for consideration of a Consent Order in lieu of a formal administrative hearing. A settlement conference was held before the full Board on September 19, 2009. Paul P. Hedrick, D.D.S. (Respondent), was represented by Phillip Jackson. Carolin Bakewell represented the Investigative Panel. Based upon the consent of the parties hereto, 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 Practice Act) and the Rules and Regulations of the North Carolina State Board of Dental Examiners (Dental Board).
2. Respondent was licensed to practice dentistry in North Carolina on June 26, 1961 and is subject to the Dental Practice Act and the rules promulgated thereunder.
3. At all times relevant hereto, Respondent was engaged in the practice of general dentistry in Lenoir, North Carolina.

4. On July 16, 2008, patient K.K. presented to Respondent's office for a new patient examination. K.K. reported that she had been in orthodontics for the last nine and ½ years and had a great deal of decalcification as a result.

5. At the July 16, 2008 appointment, Respondent prepared K.K.'s teeth numbers 14, 18 and 19 for crowns.

6. On July 30, 2008, Respondent prepared K.K.'s teeth numbers 1 and 7 – 10 for crowns.

7. Respondent did not take any radiographs at the July 16 or July 30, 2008 appointments, nor did he have any radiographs of K.K. in his records before he prepared teeth 1, 7-10, 14, 18 and 19 for crowns.

8. The standard of care applicable to dentists at the time that Respondent treated K.K. required dentists to take or have available adequate radiographs before preparing teeth for extensive crownwork.

9. Respondent's patient records for KK were incomplete and inadequate in that he failed to include the kind, strength and amount of anesthetic he administered to K.K. on July 16 and July 30, 2008.

10. Pursuant to 21 NCAC 16T.0101(a)(6), dentists are required to record in the patient record the kind, strength and amount of anesthetic administered to a patient at each appointment.

11. On September 10, 2008, Respondent temporarily seated the permanent crowns on teeth number 7 – 10. Respondent did not note the September 10, 2008 appointment in K.K.'s patient record.

12. The standard of care applicable to dentists at the time that Respondent treated K.K. required dentists to note in the patient record all appointments with and treatment rendered to their patients.

13. On September 22, 2008, K.K. returned to the Respondent's office with continued complaints of pain in her front teeth. Respondent agreed to remake the crowns for teeth numbers 7 – 10, but failed to note K.K.'s complaint of pain in the patient record.

14. On September 29, 2008, K.K. called Respondent's office to report that the pain in her front teeth was increasing. Following this call, the Respondent prescribed medication for K.K.

15. Respondent did not include in the patient record any reference to the September 29, 2008 call from K.K. or the fact that he prescribed medication for K.K. on September 29, 2008.

16. Pursuant to 21 NCAC 16T .0101(a)(6), dentists are required to record the amount, kind and strength of medication prescribed.

17. Respondent prescribed medication for K.K. on two other occasions in September and October 2008. Respondent failed to record these prescriptions in the patient record as well.

18. On October 1, 2008, K.K. presented to Respondent's office with continued complaints of pain. Respondent referred K.K. to an endodontist, who performed root canal therapy on K.K.'s teeth numbers 8 and 9 that same day.

19. Respondent did not include in the patient record any reference to the October 1 visit or his referral of K.K. to the endodontist.

20. On October 15, 2008, Respondent delivered the permanent crowns for K.K.'s teeth numbers 7 – 10. Respondent did not include in the patient record any reference to the October 15, 2008 appointment.

21. On October 23, 2008, K.K. returned, complaining of continued pain.

22. Respondent did not include in the patient record any reference to K.K.'s complaint of pain at the October 23, 2008 visit.

CONCLUSIONS OF LAW

1. The N.C. State Board of Dental Examiners has jurisdiction over the subject matter of this action and over the person of the Respondent.

2. By failing to note in the patient record complaints of pain, referrals and treatment provided to K.K., the Respondent violated the standard of care and was therefore negligent in the practice of dentistry, in violation of N.C. Gen. Stat. 90-41(a)(12).

3. By failing to keep patient records that set out the name, strength, amount and date of all medication dispensed or prescribed, the Respondent violated the Board's record keeping requirements as set out in 21 NCAC 16T .0101(a), and thereby violated N.C. Gen. Stat. 90-21(a)(6).

4. By failing to take or have in the patient record adequate radiographs before he prepared teeth numbers 1, 7-10, 18 and 19 for crowns, Respondent violated the standard of care and was therefore negligent in the practice of dentistry, in violation of N.C. Gen Stat. 90-41(a)(12).

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WHEREFORE, pursuant to the authority set forth in G.S. §90-41(a), it is ORDERED as follows:

1. License Number 2798 issued to the Respondent for the practice of dentistry is hereby suspended for a period of three (3) years. Respondent shall surrender his license and current renewal certificate to the Board at its offices on or before November 20, 2009.

2. With Respondent's consent, his license to practice dentistry shall be conditionally restored, *with no active suspension*, provided that, for the five (5) years following the effective date of this order, he adheres to the following probationary terms and conditions:

- (a) Respondent shall violate no provision of the Dental Practice Act or the Board's rules and regulations.
- (b) Respondent shall neither direct nor permit any employee to violate any provision of the Dental Practice Act or the Board's rules and regulations.
- (c) Respondent shall allow the Board or its authorized agents to inspect and observe his office, conduct random patient chart review and interview his employees and co-workers at any time during regular office hours.
- (d) Respondent shall, within one (1) year from the date of this Order, complete a continuing education courses especially designed for him by the University of North Carolina School of Dentistry in conjunction with, and approved by, the North Carolina State Board of Dental Examiners. This will be comprehensive, remedial courses in (1) diagnoses and treatment planning and (2) recordkeeping. This requirement shall be in

addition to the continuing education required by the Board for the renewal of Respondent's dental license. Respondent shall submit to the Board's Deputy Operations Officer written proof of satisfactory completion of this course before it will be accepted in satisfaction of this requirement. It is the Respondent's responsibility to make all arrangements for and bear the cost of this course within the specified time.

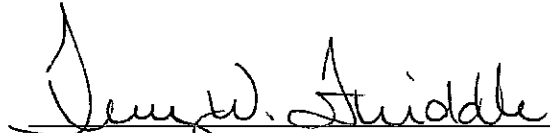
- (e) Within ninety (90) days of the date of this Order, Respondent must take and pass the Board's written jurisprudence exam.
- (f) Within thirty (30) days of the date of this Order, Respondent shall submit a written report to the Board outlining his current method of record keeping and submitting copies of all recordkeeping documents currently being used in his dental practice. Within thirty (30) days of completing the recordkeeping course as outlined in item (d) above, Respondent shall submit a second written report to the Board outlining what he learned at the course and how he has implemented the changes to his recordkeeping in his practice, attaching copies of all recordkeeping documents being used in his dental practice since implementing the changes.
- (g) Within thirty (30) days of the date of this order, Respondent shall pay the expenses of the Board's investigation of this matter in the amount of \$1150.00.

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 permit Respondent to show cause why his dental license should not be suspended. If, as a result of the Show Cause hearing, the Board is satisfied that Respondent failed to comply with or breached any term or condition of this Order, Respondent's license shall be rescinded and, upon written demand, Respondent shall immediately surrender his license and current renewal certificate to the Board for a period of three (3) years. 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 the Board's Rules.

This the 16 day of November, 2009.

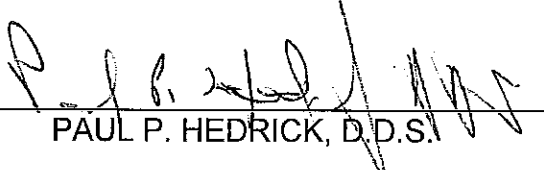
BY:


Terry W. Fiddle
Deputy Operations Officer

STATEMENT OF CONSENT

I, PAUL P. HEDRICK, D.D.S. 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 am in violation of G.S. §90-41(a)(1)(6) and G.S. §90-41(a)(1)(12), 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 12th day of November, 2009.



PAUL P. HEDRICK, D.D.S.