

BEFORE THE NORTH CAROLINA STATE BOARD OF DENTAL EXAMINERS

In The Matter Of:

ROSALIN I. MINEROLDI, R.D.H.
(License No. 5355)

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CONSENT ORDER

THIS MATTER came on to be heard and was heard before the North Carolina State Board of Dental Examiners (Board) pursuant to N.C. Gen. Stat. § 90-229, for consideration of a Consent Order in lieu of a formal administrative hearing. A settlement conference was held before the full Board on October 16, 2009. Rosalin "Chris" I. Mineroldi, R.D.H., (Respondent), appeared on her own behalf. 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).

2. At all times relevant hereto, Respondent was licensed to practice dental hygiene in North Carolina and was subject to the Dental Hygiene Act and the Board's rules promulgated thereunder.

3. On December 14, 2007, Respondent asked her employer, Daniel D. Skotzko, D.D.S., to call in a prescription for antibiotics for Tammy Mitchell, another employee who was suffering from a sinus infection.

4. At Respondent's request, Dr. Skotzko called in the prescription under the name of Ms. Mitchell's sister, because the sister had insurance that would cover the prescription, whereas Ms. Mitchell did not.

5. Neither Dr. Skotzko nor Respondent has ever held a medical license.

6. On January 2, 2008, Respondent called in a prescription for Levaquin and Prednisone for Ms. Mitchell without proper authorization from Dr. Skotzko. This prescription was also called in under the name of Ms. Mitchell's sister.

7. On a number of other occasions before and after December 14, 2007, Respondent called in prescriptions for various medications for herself and her relatives without proper authorization from Dr. Skotzko.

Based upon the foregoing Findings of Fact and the consent of the parties hereto, the Board 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. By requesting Dr. Skotzko to call in a prescription for sinus medication for Ms. Mitchell on December 14, 2007, the Respondent aided and abetted Dr. Skotzko to practice outside the scope of dentistry, in violation of G.S. § 90-229(a)(6).

3. By calling in a prescription for Tammy Mitchell on January 2, 2008 under the name of Ms. Mitchell's sister, Respondent committed a fraudulent act in the practice of dental hygiene, in violation of G.S. § 90-229(a)(9).

4. By calling in prescriptions for Ms. Mitchell, herself and her relatives without proper authorization from Dr. Skotzko, Respondent engaged in unprofessional conduct, as defined in 21 NCAC 16V.0102(7) and (8), in violation of G.S. § 90-229(12).

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

ORDER OF DISCIPLINE

1. License Number 5355 issued to the Respondent for the practice of dental hygiene is hereby suspended for a period of thirty (30) days.

2. With Respondent's consent, her license to practice dental hygiene shall be immediately restored, *with no period of active suspension*, provided that, for five (5) years from the date of this Order, 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 and regulations.
- (b) Respondent shall submit to interviews by the Dental 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.
- (c) 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;

- (d) Respondent shall, within one (1) year from the date of this Order, complete continuing education courses especially designed for her 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) Jurisprudence; and (2) dental ethics. This requirement shall be in addition to the continuing education required by the Board for the renewal of Respondent's dental hygiene license. Respondent shall submit to the Board's Deputy Operations Officer written proof of satisfactory completion of these courses before they will be accepted in satisfaction of this requirement. It is the Respondent's responsibility to make all arrangements for and bear the cost of these courses within the specified time.
- (e) Within sixty (60) days of the date of this Order, Respondent must take and pass the Board's written jurisprudence exam at her sole expense.
- (f) Respondent shall inform all employers, in writing, of her probationary status and provide each employer with a copy of this Consent Order.
- (g) Within thirty (30) days of the date of this Order, Respondent shall reimburse the Board for the costs associated with its investigation of this matter in the amount of \$140.00.

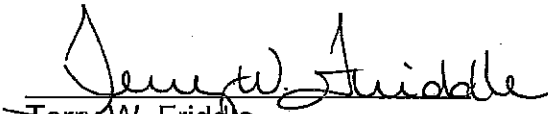
3. If Respondent fails to comply with any provision of this Order or breaches any term or condition thereof, the Board shall promptly schedule a public Show Cause Hearing to permit Respondent to show cause why her dental hygiene license should not be suspended. If, as a result of the Show Cause hearing, 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 her license and current renewal certificate to the Board for a period of thirty (30) days. 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 12 day of February, ~~2009~~²⁰¹⁰.

THE NORTH CAROLINA STATE
BOARD OF DENTAL EXAMINERS

By:


Terry W. Friddle
Deputy Operations Officer

JAN 22 2010

STATEMENT OF CONSENT

I, ROSALIN I. MINEROLDI, R.D.H., do hereby certify that I have read the foregoing Consent order in its entirety. I assent to its terms and conditions set out herein. I freely and voluntarily admit, exclusively for the purposes of this disciplinary proceeding and any other disciplinary or licensure proceedings before the Dental Board, 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 order of discipline on appeal or if further disciplinary action is warranted in this matter. 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.

This the 20th day of January, ~~2009~~²⁰¹⁰.

Rosalin I. Mineroldi, R.D.H.
ROSALIN I. MINEROLDI, R.D.H.