

BEFORE THE NORTH CAROLINA STATE BOARD OF DENTAL EXAMINERS

In The Matter Of:

THOMAS R. VAUGHAN, JR., D.D.S.     )  
(License No. 2989)                     )

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. § 90-41(b), for consideration of a Consent Order in lieu of a formal administrative hearing.

Subsequent to an investigation conducted by the Board's Investigative Panel and allegations arising therefrom having been presented to Thomas R. Vaughan, Jr., D.D.S. (Respondent), at a pre-hearing conference on July 9, 2009, the Respondent enters into this Consent Order. Respondent consents to the Findings of Fact and Conclusions of Law and agrees to the Order of Discipline contained herein.

**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 action under the authority granted to the Board in Chapter 90 of the North Carolina General Statutes (Dental Practice Act) and the Board's Rules and Regulations.

2. Respondent was licensed to practice dentistry in North Carolina in 1964 and, at all times relevant hereto, was engaged in the practice of general dentistry in Rocky Mount, North Carolina.

3. On October 21, 2009, at the request of the Investigative Panel, Respondent participated in a bench test. Based on the results of that clinical test, Respondent has agreed to restrict his practice to performing diagnostic procedures and dental hygiene supervision only.

### **CONCLUSIONS OF LAW**

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

2. The public interest will be best served by entry of a Consent Order in this matter.

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

### **CONSENT ORDER**

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

1. License number 2989 issued to Respondent for the practice of dentistry in North Carolina is suspended indefinitely. Respondent shall surrender his original license and current renewal certificate to the Board at its offices immediately.

2. With Respondent's consent, his license shall be conditionally restored, with no active suspension, provided that Respondent adhere to the following probationary terms and conditions:

- (a) Respondent must restrict his practice to performing diagnostic procedures and dental hygiene supervision only. Respondent shall not practice clinical dentistry or administer anesthesia;
- (b) Respondent shall violate no provision of the Dental Practice Act or the Board's Rules;
- (c) Respondent shall neither direct nor permit any of his employees to violate any provision of the Dental Practice Act or the Board's Rules;
- (d) Respondent shall allow the Board or its authorized agent to inspect and observe his office and patient records, and interview his employees and co-workers at any time during regular office hours;

3. If Petitioner 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 Petitioner opportunity to show cause as to why Petitioner's license should not be immediately suspended per the terms of this Order. 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, the provisional restoration of his license shall be rescinded and upon written demand, Respondent shall immediately surrender his 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 14<sup>th</sup> day of December, 2009.

THE NORTH CAROLINA STATE  
BOARD OF DENTAL EXAMINERS

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

**STATEMENT OF CONSENT**

I, THOMAS R. VAUGHAN, JR., D.D.S., do hereby certify that I have read the foregoing Consent Order in its entirety and that I do freely and voluntarily 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 7<sup>th</sup> day of DECEMBER 2009.

  
THOMAS R. VAUGHAN, JR., D.D.S.