

BEFORE THE NORTH CAROLINA STATE BOARD OF DENTAL EXAMINERS

In The Matter Of:

DONALD J. WRIGHT, D.D.S.
(License No. 6109)

)
) CONSENT ORDER
) OF DISCIPLINE
)

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 on March 13, 2010 with the consent of the parties. Donald J. Wright, D.D.S. (Respondent) was not represented by Counsel. Carolin Bakewell represented the Investigative Panel.

While Respondent does not admit for any purposes, other than this disciplinary hearing and any other disciplinary or licensure proceeding before this Board or any other dental licensing Board, the allegations contained in this Consent Order, in order to terminate further controversy and avoid additional proceedings, the Respondent agrees not to contest the allegations set forth within this Consent Order and does furthermore agree to the provisions and sanctions contained herein. Respondent further agrees that any breach or violation of this Consent Order shall constitute an admission of the Findings of Fact and Conclusions of Law as it pertains to the allegations contained herein.

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. Donald J. Wright, D.D.S., (Respondent), was licensed to practice dentistry in North Carolina on June 19, 1991 and holds license number 6109.

3. Respondent has remained licensed to practice dentistry in North Carolina and was subject to the Dental Practice Act and the Board's Rules and Regulations at all times relevant hereto.

4. At all relevant times, Respondent was engaged in the practice of general dentistry in Eden, North Carolina.

PATIENT CR

5. In June 2004, Patient CR presented to the Respondent's office complaining of TMJ related pain.

6. Between June 2004 and the end of 2009, the Respondent's primary course of treatment for CR was to prescribe narcotics.

7. In 2004, Respondent prescribed 35 tabs of Lorcet per month to CR. By May 2009, the Respondent was prescribing 135 tablets of Lorcet monthly to CR.

8. The Respondent's patient records do not support the amount or frequency of the narcotics that he prescribed for CR.

9. The standard of care forbids dentists from prescribing excessive amounts of narcotics to their patients.

PATIENT AB

10. In 2005, Patient AB presented to the Respondent's office with complaints of tooth-related pain.

11. Shortly thereafter, the Respondent began prescribing narcotics for AB.

12. By 2007, the Respondent was prescribing 120 Percocet and 30 to 40 Valium monthly to AB. Between 2007 and 2009, the Respondent prescribed an average of 11 Percocet per day to AB.

13. The Respondent's patient records do not support the amount or frequency of the narcotics that he prescribed for AB.

Based upon the consent of the parties and the record herein, the Board makes the following:

CONCLUSIONS OF LAW

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

2. Respondent has stipulated that such allegations, if proven, are legally sufficient to support Findings and Conclusions that she has violated G.S. 90-41 as specified in the Findings of Fact. Furthermore, Respondent has stipulated that, solely for the purposes recited herein, Respondent will not contest the allegations set forth in this Order, which allegations are previously incorporated in this Order, as if fully set forth herein, as Findings of Fact.

3. By prescribing narcotics in amounts and frequencies that were not supported by the patient records for AB and CR, the Respondent violated the standard of care and thereby engaged in negligence in violation of G.S. 90-41(a) (12).

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

ORDER OF DISCIPLINE

1. Respondent's license to practice dentistry in North Carolina is hereby suspended for 90 days. With the Respondent's consent, his dental license shall be immediately reinstated, with no period of active suspension, provided that for two years from the date of this Order the Respondent complies with the following terms:

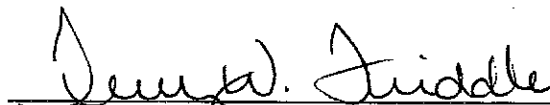
- (a) Respondent shall violate no provision of the Dental Practice Act or the Board's rules and regulations.
- (b) Respondent shall neither direct nor permit any employee to violate any provision of the Dental Practice Act or the Board's rules and regulations.
- (c) Respondent shall allow the Board or its authorized agents to inspect and observe his office, conduct random patient chart reviews and interview his employees and co-workers at any time during regular office hours.
- (d) Within one year of the date of this Order, the Respondent shall successfully complete a course designed by Dr. Hall Crossley in 1) record keeping, 2) pharmacology relating to narcotics and 3) patient management regarding narcotics. No course shall be accepted in satisfaction of this requirement unless the course has been approved in writing by the Board before Respondent takes it. Courses previously taken by the Respondent will not be accepted in satisfaction of this requirement. Respondent shall provide the Board's Deputy Operations Officer with written proof of

satisfactory completion of the courses within two weeks of the date of completion.

- (e) Following completion of the course described in paragraph 2(c), the Respondent shall permit the IP to conduct random pharmacy audits throughout the remaining probationary period.
- (f) Respondent shall pay the cost of the investigation of this matter in the amount of \$698.00 within 30 days of the date of this Order.

2. If Respondent violates any term of this Order breaches any term or condition of the conditional restoration of his license, the Board will immediately schedule a hearing to require Respondent to show cause why his dental license should not be suspended for 90 days. This sanction shall be in addition to and not in lieu of any sanction that the Board may impose as a result of future violations of the Dental Practice Act or the Board's rules.

This the 11 day of May, 2010.

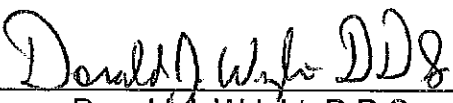


Terry Fiddle
Deputy Operations Officer
The North Carolina State
Board of Dental Examiners

STATEMENT OF CONSENT

I, DONALD J. WRIGHT, 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 or any other Dental Licensing Board, that there is a factual basis for the Findings of Fact set forth therein, that the Findings of Fact, if proven, support the Conclusions of Law, that I will not contest the Findings of Fact should further disciplinary action be warranted in this matter, and that I assent to the terms and conditions set forth therein. By signing this Statement of Consent 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 4th day of May, 2010.



Donald J. Wright, D.D.S.