

BEFORE THE NORTH CAROLINA STATE BOARD OF DENTAL EXAMINERS

IN THE MATTER OF:

Athena Anh Vu, D.D.S.
(License No. 9173; Permit No. 1087)

)
)
) **CONSENT ORDER SUMMARILY**
) **SUSPENDING SEDATION PERMIT**
)

Pursuant to G.S. 150B-3(c), the North Carolina State Board of Dental Examiners ["Board"] Hearing Panel finds that the public health, safety, and welfare requires emergency action and hereby summarily suspends the moderate conscious sedation permit number 1087 issued to Athena Anh Vu, D.D.S. ["Respondent"]. This action is being taken based on information obtained during a Board inspection conducted at Respondent's office on March 6, 2024, including evidence of multiple violations of Board statutes and rules regarding the administration of moderate conscious sedation and representations she made concerning compliance when renewing her sedation permit.

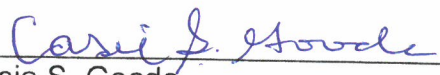
The Board's Investigative Panel has concluded a preliminary review and investigation and has reached an agreement with Respondent to summarily suspend her moderate conscious sedation permit during these proceedings. Pursuant to this agreement and Consent Order, Respondent shall immediately cease administering sedation in North Carolina and surrender her sedation permit. This Consent Order does not prohibit Respondent from otherwise practicing dentistry, including administering, if clinically appropriate to do so, (i) local anesthetic, (ii) nitrous oxide, or (iii) anxiolysis, but only in strict compliance with 21 NCAC 16Q .0101(3) and the interpretive statements attached to this Consent Order.

Respondent may utilize an independent provider who holds an active itinerant permit issued by the Board to administer general anesthesia or sedation ["Sedation"] without supervision and who must be approved by the Board's Investigative Panel before the independent provider administers Sedation to any of Respondent's patients ["Authorized Sedation Provider"]. Because her permit is summarily suspended, Respondent cannot utilize or supervise a CRNA administering Sedation while this Amended Consent Order remains in effect. Any Authorized Sedation Provider shall keep all Sedation drugs in his or her possession and shall not leave any Sedation drugs in Respondent's clinical facilities. Respondent shall immediately dispose of all Sedation drugs in her possession, under the observation of the Board's staff. Respondent shall keep records demonstrating her use of an Authorized Sedation Provider for each patient to whom Sedation is administered and provide such records to the Board upon request.

The Board's summary suspension is not a Final Agency Decision concerning whether Respondent committed any violations of the Dental Practice Act or the Board's regulations or concerning Respondent's moderate sedation permit or her dental license. The summary suspension shall remain in effect while the investigation is pending and until further Order of the Board or a Final Agency Decision is entered.

This the 12th day of March 2024.

THE NORTH CAROLINA STATE
BOARD OF DENTAL EXAMINERS



Casie S. Goode
Director of Investigations

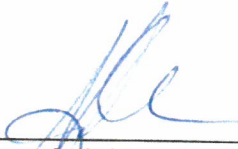
STATEMENT OF CONSENT

I, Athena Anh Vu, D.D.S., do hereby certify that I have read the foregoing Consent Order Summarily Suspending Moderate Sedation Permit and agree to it. By assenting to this Consent Order, I am not admitting to any potential violations of the Dental Practice Act or the Board's regulations. I understand that:

- The Board staff may make unannounced visits to my dental office for the purpose of ensuring full compliance with this Consent Order and may request documentation to determine compliance;
- The Board will report the contents of this Consent Order to the National Practitioner Data Bank and that it will become part of the Board's public record;
- The investigation is still ongoing, no decision has been made about whether to issue a notice of contested case hearing and, as a result, I agree that no proceeding will be promptly commenced and determined pursuant to N.C. Gen. Stat. 150B-3(c); and
- I waive any ability or potential right to challenge, seek judicial review, or appeal the entry and enforcement of this Consent Order.

I freely and voluntarily enter into this Consent Order and acknowledge that I have not been forced or coerced to sign this Consent Order.

This the 12 day of March 2024.



Athena Anh Vu, D.D.S.