

BEFORE THE NORTH CAROLINA STATE BOARD OF DENTAL EXAMINERS

IN THE MATTER OF:

TANYA CHAVEZ, R.D.H.)
(License No. 10602))

CONSENT ORDER

THIS MATTER is before the North Carolina State Board of Dental Examiners (Board) as authorized by G.S. § 90-229 for consideration of a Consent Order in lieu of a formal administrative hearing. Tanya Chavez, R.D.H., (Respondent), appeared on her own behalf. Carolin Bakewell represented the Investigative Panel. The parties hereby consent to the Findings of Fact and Conclusions of Law set out herein and to the entry of the Order of Discipline.

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 dental hygiene in North Carolina on June 5, 2014 and holds license number 10602.

3. At all times relevant hereto, the Respondent was subject to the Hygiene Practice Act and the rules promulgated thereunder.

4. On May 30, 2014, the Respondent signed a Service Agreement with the North Carolina Caring Dental Professionals (hereafter, May 2014 Service Agreement), which, among other things, required her to abstain from the consumption of alcohol and other mind altering substances.

5. The Respondent signed the May 2014 Service Agreement following a February 2014 Settlement Conference at which it was disclosed that she had two prior convictions for driving while impaired.

6. Respondent was aware of and agreed to the terms of her May 2014 Service Agreement.

7. Among other things, Respondent's May 2014 Service Agreement required her to submit to random urine tests.

8. On several occasions, the testing agency examining Respondent's urine samples reported that she had dilute screens.

9. As a result of the dilute screens, the CDP asked the Respondent to submit to a PEth blood spot test.

10. The blood test results, which were reported on June 5, 2015, indicated that Respondent had consumed alcohol in significant quantities.

11. Respondent denied having consumed alcohol since signing her May 2014 Service Agreement, but presented no evidence supporting her testimony or explaining how she could have had a false positive test result.

Based upon the foregoing Findings of Fact and the consent of the parties hereto, the Dental Board enters the following:

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.

Based upon the foregoing Findings of Fact and Conclusions of Law and with the consent of the parties hereto, it is ORDERED as follows:

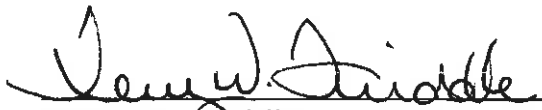
ORDER OF DISCIPLINE

1. License Number 10602 issued to Respondent for the practice of dental hygiene in North Carolina is hereby revoked.

2. Respondent may apply for reinstatement of her dental hygiene license at any time following one year from the date of this order, provided that she first presents written evidence that she is under contract with the North Carolina Caring Dental Professionals (CDP) and that CDP is advocating for her reinstatement.

This the 8 day of September, 2015.

THE NORTH CAROLINA STATE
BOARD OF DENTAL EXAMINERS

By: 
Terry W. Friddle
Deputy Operations Officer

STATEMENT OF CONSENT

I, Tanya Chavez, R.D.H., do hereby certify that I have read the foregoing Consent Order in its entirety and that I do freely and voluntarily consent to the Findings of Fact, Conclusions of Law, Order of Discipline and the terms and conditions set forth herein. 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 5 day of September, 2015.

Tanya Chavez R.D.H.
TANYA CHAVEZ, R.D.H.