

BEFORE THE NORTH CAROLINA STATE BOARD OF DENTAL EXAMINERS

In the Matter of:

Elizabeth Larson Clapham, D.D.S.
(License No. 9392)

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**CONSENT ORDER OF
CONDITIONAL REINSTATEMENT**

THIS MATTER is before the North Carolina State Board of Dental Examiners (“Board” or “Dental Board”), as authorized by G.S. § 90-41 for consideration of a Consent Order for Dr. Elizabeth Larson Clapham (“Dr. Clapham” or “Respondent”), in lieu of a formal administrative hearing. Douglas J. Brocker represented the Investigative Panel of the Board (“IP”). Respondent represented herself and acknowledges that the Board has evidence to prove the Findings of Fact and Conclusions of Law and to warrant the Order of Conditional Reinstatement. Based upon the consent of the parties hereto, the Board hereby enters the following:

FINDINGS OF FACT

1. The Dental Board is a body duly organized under the laws of North Carolina and is the proper party to bring this proceeding pursuant to the authority granted to it in Chapter 90 of the North Carolina General Statutes, including the Dental Practice Act and the Rules and Regulations of the North Carolina State Board of Dental Examiners.
2. Respondent was licensed to practice dentistry in North Carolina on August 23, 2012 and held license number 9392.
3. Respondent worked as a general dentist at several locations in North Carolina from August 2012 through at least part of 2016.

4. Respondent did not renew her license for 2017 and it expired on March 31, 2017 based on her non-renewal.

5. In February 2016, Respondent was arrested and subsequently found guilty of Driving Under the Influence (DUI) in Cumberland County, NC. Her sentence included 24 hours of community service, obtaining an alcohol assessment, and completing a 20-hour DUI course.

6. In July 2016, Respondent was arrested and subsequently found guilty of Driving Under the Influence (DUI) in Knox County, TN. Her sentence included 48 hours in jail and completing a 16-hour DUI course

7. In November 2016, Respondent was arrested in Dallas County, TX for Public Intoxication. The charge subsequently was dismissed.

8. In November 2017, Respondent was arrested in Wake County, NC for Shoplifting. The charge subsequently was dismissed as part of a deferred prosecution agreement.

9. Respondent became licensed to practice dentistry in Texas on October 12, 2016.

10. On May 17, 2019, Respondent entered into a non-disciplinary remedial plan with the Texas Board of Dental Examiners resulting from a complaint regarding restorative treatment provided to a patient in Texas. Under the Plan, Respondent was required to complete six hours of continuing education courses in risk management, recordkeeping, and restorative dentistry and provide proof of compliance within 60 days.

11. Dr. Clapham began participation with the North Carolina Dental Professionals Program (CDP) in October 2018 and is currently under a five (5) year

Participation Agreement with CDP. Respondent reported that she had been in continuous recovery for five (5) months prior to joining CDP.

12. On January 10, 2019, Respondent applied for reinstatement of her license to practice dentistry in North Carolina. Respondent fully disclosed all the above criminal charges and convictions on her application for reinstatement.

13. Respondent has been fully cooperative with the Board during her reinstatement process.

14. Nancy K. Davis, Executive Director of CDP, submitted a letter dated March 1, 2019 advocating for the reinstatement of Dr. Clapham's North Carolina dental license and attesting to her total compliance with her Participation Agreement.

Based upon the foregoing Findings of Fact and with the consent of the parties hereto, the Hearing Panel reached the following:

CONCLUSIONS OF LAW

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

2. Respondent's conduct, as set forth in Findings of Fact 5-10, violated N.C. Gen. Stat. § 90-41(a)(2) in that she is or was a persistent user of intoxicants to the extent that the same impairs or could impair her ability to practice dentistry, unless properly monitored.

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 CONDITIONAL REINSTATEMENT

1. Respondent's license to practice dentistry in North Carolina is conditionally reinstated, which is effective upon entry of this Order, provided that for five years from her conditional reinstatement Respondent complies with all the following probationary terms and conditions necessary to protect the public:

- a. Respondent fully complies with all terms and conditions of her CDP Participation Agreement. Respondent shall sign a release with CDP permitting it to submit monthly reports to the Board;
- b. Respondent provides the Board by August 1, 2019 with proof that she has complied with the continuing education requirements of her non-disciplinary remedial plan in Texas;
- c. Respondent shall violate no provisions of the Dental Practice Act or the Board's Rules and Regulations;
- d. Respondent shall neither permit nor direct any of her employees or those under her supervision to violate any provision of the Dental Practice Act or the Board's Rules and Regulations; and
- e. Respondent shall permit the Board and its agents to inspect and observe her office and patient records and interview employers, employees, and co-workers at any time during normal office hours.

2. The Board recognizes that the conditions, limitations, or requirements set forth in this Consent Order may present Respondent with certain practical difficulties. The Board concludes that each one is necessary to ensure public protection and it does not intend to modify or eliminate any of the conditions, limitations, or requirements set forth herein based on such potential difficulties.

3. If Respondent fails to comply with any provision of this Consent Order or breaches any term or condition thereof, the Board shall promptly schedule a Show Cause Hearing to permit Respondent to show cause why the conditional reinstatement of her dental license should not be rescinded and her license suspended indefinitely. 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 Consent Order, Respondent's license shall be indefinitely suspended and, upon written demand, Respondent shall immediately

surrender her dental 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 the Board's Rules.

This the 3rd day of July 2019.



Millard W. Wester, III, DDS
Presiding Officer of the Hearing Panel


THE NORTH CAROLINA STATE
BOARD OF DENTAL EXAMINERS



STATEMENT OF CONSENT

I, Elizabeth Larson Clapham, D.D.S., 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 that there is a factual basis for the findings of fact herein, the findings of fact support the conclusions of law, the conclusions of law support the Order of Conditional Reinstatement, and that I will not contest the findings of fact, the conclusions of law, or the Order of Conditional Reinstatement in any future proceedings before or involving the Dental Board, including if future disciplinary proceedings or action is warranted in this matter. I knowingly waive any right to appeal or otherwise later challenge this Consent Order once entered. 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. I further acknowledge that this required reporting may have adverse consequences in other contexts and any potential effects will not be the basis for a reconsideration of this Consent Order.

This the 26 day of June 2019,



Elizabeth Larson Clapham, D.D.S.