

BEFORE THE NORTH CAROLINA STATE BOARD OF DENTAL EXAMINERS

IN THE MATTER OF)	
)	
Mildred Delgado Reynolds, R.D.H.)	CONSENT ORDER OF
(License Number 8969))	DISCIPLINE AND
)	CONDITIONAL
)	REINSTATEMENT

THIS MATTER is before the North Carolina State Board of Dental Examiners ["Dental Board" or "Board"] as authorized by N.C. Gen. Stat. § 90-231 for consideration of a Consent Order in lieu of a formal administrative hearing. The parties hereby consent to the Findings of Fact and Conclusions of Law set out herein and to the entry of this Consent Order of Discipline and Conditional Reinstatement.

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 Hygiene Act in Article 16, and the Rules and Regulations of the North Carolina State Board of Dental Examiners, set forth in 21 North Carolina Administrative Code Chapter 16.
2. The Board issued Respondent a license to practice dental hygiene in North Carolina on July 22, 2008.
3. Respondent was employed as a dental hygienist in the dental office of Dr. Daniel N. Williams in Laurinburg, Scotland County, North Carolina for several years up through March 2017.

4. On March 6, 2017, the Board summarily suspended Respondent's license, which Summary Suspension has remained in effect since it was issued and served on Respondent.

5. The Board issued the Summary Suspension based in part on Respondent's admissions that she obtained narcotic prescriptions written in the names of others for her personal use, that she was using these narcotics to supplement narcotic prescriptions written to her by her medical doctor for chronic pain, and that she had developed a problem with prescription medication.

6. Contemporaneous with the Summary Suspension, Respondent was charged in Scotland County North Carolina with related criminal charges, 17 CRS 05868-050880.

7. Later that same month, on March 21, 2017, Respondent entered into a Participation Agreement with the North Carolina Caring Dental Professionals (NCCDP) for a minimum of 5 years.

8. Prior to signing the Participation Agreement with NCCDP, Respondent completed a 14-day inpatient treatment program from March 2-15, 2017.

9. Pursuant to the Participation Agreement, Respondent attended and successfully completed First Health Behavioral Services Intensive Outpatient Program between March 29 and April 25, 2017.

10. Respondent's Participation Agreement with NCCDP incorporates numerous requirements, including:

- a. submitting to random drug and alcohol screenings;
- b. submitting to blood, hair, or nail tests, as requested;

- c. attending 90, 12-step meetings in 90 days and thereafter attending four (4) meetings per week and two (2) caduceus meetings per month;
- d. attending regional NCCDP meetings quarterly;
- e. contacting weekly and meeting in person monthly with an assigned Peer Support Volunteer;
- f. attending NCCDP's annual educational conference;
- g. submitting monthly reports to NCCDP; and
- h. attending sessions with Respondent's Addictionologist and counselor, as requested by NCCDP, among other requirements.

11. NCCDP has submitted monthly reports to the Board since May 2017 indicating Respondent's compliance with her Participation Agreement.

12. On November 15, 2017, Respondent entered into a Deferred Prosecution Agreement and Order in her related criminal cases.

13. Pursuant to the Deferred Prosecution Agreement, Respondent made an admission of responsibility as to eight (8) felony counts of Obtaining a Controlled Substance by Fraud.

14. Pursuant to the Deferred Prosecution Agreement, Respondent was placed on 24 months of supervised probation and required to comply with additional special conditions, including that Respondent continue with substance abuse treatment and follow all recommendations, and Respondent was prohibited from taking the following actions during her probation:

- a. filling out, writing or signing any prescriptions for controlled substances,

- b. performing any dental hygienist related treatment outside of office hours,
- c. using or consuming any controlled substance unless prescribed to her by a medical doctor,
- d. dispensing any controlled substances to anyone, and
- e. picking up any controlled substances for third parties.

15. On December 5, 2017, Nancy K. Davis, Executive Director of NCCDP, submitted a letter summarizing Respondent's complete compliance with her Participation Agreement and advocating for reinstatement of Respondent's dental hygiene license.

Based upon the Findings of Fact and the consent of the parties, the Board hereby enters the following:

CONCLUSIONS OF LAW

1. The Dental Board has jurisdiction over Respondent and over the subject matter of this proceeding.
2. Respondent has been a chronic or persistent user of prescription narcotics to the extent that they have impaired her ability to practice dental hygiene in violation of N.C. Gen. Stat. § 90-228(a)(4).
3. The Board previously summarily suspended Respondent's dental hygiene license based on her admitted conduct in violation of the Dental Hygiene Act.
4. The Board can safely permit Respondent to resume the practice of dental hygiene provided she comply with all the conditions and requirements set forth herein in the Order of Discipline.

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

ORDER OF DISCIPLINE

1. Respondent's dental hygiene license is indefinitely suspended but is conditionally reinstated provided that for a period of five (5) years following entry of this Order she adheres to the following probationary terms and conditions:

- (a) Respondent shall violate no provision of the Dental Hygiene Act or the Board's Rules;
- (b) Respondent shall submit to interviews by the Board or its authorized agent during regular office hours or at such other times as are mutually convenient. Respondent shall also arrange for the Board or its agent to interview her employer and co-employees during regular office hours. Respondent shall notify and provide a copy of this Consent Order to any current or prospective employer;
- (c) Respondent shall give written notice to the Board of the street and mailing addresses of her places of employment and residence. Respondent shall notify the Board of any changes of either address within ten (10) days of the change;
- (d) Respondent shall comply with all terms and conditions of her Participation Agreement with NCCDP. Respondent shall sign and maintain continuously a release with NCCDP permitting it to submit monthly reports to the Board regarding her progress in the program;

- (e) Respondent shall not possess or use any controlled substances or any other mood-altering substance unless prescribed for her in the usual course of professional treatment. Prior to Respondent consuming any mood-altering substance, Respondent shall immediately notify NCCDP of any medications prescribed, along with the name of the physician issuing the prescription;
- (f) Respondent shall not do any of the following actions throughout the five-year probation period:
 - i. fill out, write, or sign any prescriptions for controlled substances,
 - ii. access or handle any controlled substances for any reason in any dental office,
 - iii. dispense any controlled substances to anyone, and
 - iv. pick up any controlled substances for any other person.

2. If Respondent fails to comply with any provision of this Order or breaches any term or condition thereof, including those in paragraph one (1), the Board shall promptly schedule a public Show Cause Hearing to allow Respondent an opportunity to show cause as to why Respondent's suspension shall not be activated for violating a valid Order of the Board. If after the Show Cause Hearing, the Board is satisfied that Respondent failed to comply or breached any term or condition of this Order, the Board shall activate the suspension and also may enter such other discipline or conditions as the evidence warrants for proven violations of the Dental Practice Act or of the Board's Rules occurring after entry of this Order.

This the 25th day of January, 2018.

THE NORTH CAROLINA STATE
BOARD OF DENTAL EXAMINERS

By: Casie S. Goode
Casie S. Goode
Director of Investigations

STATEMENT OF CONSENT

I, Mildred Delgado Reynolds, R.D.H., 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, that the findings of fact support the conclusions of law, that I will not contest the findings of fact, the conclusions of law, or the disciplinary 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. I have had the opportunity to consult with an attorney prior to signing this Consent Order.

This the 3rd day of January, 2018.


Mildred Delgado Reynolds, R.D.H.