BEFORE THE NORTH CAROLINA STATE BOARD OF DENTAL EXAMINERS

In The Matter Of:

KELLY DONALD JACKSON, D.D.S.  
(License No. 8717)  

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CONSENT ORDER

THIS MATTER was heard before the North Carolina State Board of Dental Examiners (Dental Board) pursuant to pursuant to G.S. § 90-41(b) for consideration of a Consent Order in lieu of a formal administrative hearing. The Respondent, Dr. Kelly D. Jackson, represented himself. Carolin Bakewell represented the Investigative Panel.

Based upon the evidence presented at the October 12, 2013 Settlement Conference and upon the consent of the parties, the Dental 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 January 2, 2009 by credentials and holds license number 8717. He has remained licensed to practice dentistry in North Carolina since 2009 and was subject to the Dental Practice Act and the Board's Rules and Regulations at all times relevant hereto.
3. At all times since being licensed by credentials in North Carolina, the Respondent has continued to practice dentistry in Michigan regularly.

4. The Respondent was aware that the Dental Practice Act required him to limit his dental practice to North Carolina upon his licensure by credentials.

5. During the course of the disciplinary investigation of this matter, the Respondent knowingly and falsely told a Dental Board investigator that he was not practicing dentistry in any other state.


7. On January 21, 2013, the Respondent replaced four of Ms. Wilson’s amalgam fillings.

8. On the evening of January 21, 2013, after the anesthetic wore off, Ms. Wilson began to experience great pain.

9. Ms. Wilson and her roommate both attempted to reach the Respondent by telephone to request emergency assistance. The Respondent denied that he got either call.


11. Later on January 22, 2013, at Ms. Wilson’s request, one of Respondent’s employees placed a call to the Respondent, who was practicing at his Michigan dental office.

12. The Respondent did not recall whether he responded to the call from his office staff.
13. The Respondent did not have in place adequate measures and procedures to handle emergencies while he was working out of state.

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

CONCLUSIONS OF LAW

1. By regularly continuing to practice dentistry in Michigan after he was licensed in 2009, the Respondent violated N.C. Gen. Stat. § 90-36(e), which requires dentists admitted by credentials to limit their practices to North Carolina.

2. By falsely telling a Board’s investigator that he was not practicing in any other state, the Respondent engaged in unprofessional conduct, in violation of 21 NCAC 16V .0101(2).

3. By failing to have in place adequate measures to handle his North Carolina patients’ emergencies, the Respondent engaged in negligence in the practice of dentistry, in violation of N.C. Gen. Stat. § 90-41(a)(6).

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

ORDER OF DISCIPLINE

1. Respondent is hereby Reprimanded for his violation of G.S. 90-41(a)(6) and 21 NCAC 16V .0101(2).

2. Respondent’s North Carolina dental license is hereby VOID, effective sixty (60) days from the effective date of this Order based upon his violation of G.S. 90-36(e).
This the 17th day of January 2014.

THE NORTH CAROLINA STATE BOARD OF DENTAL EXAMINERS

By: [Signature]

Terry W. Friddle
Deputy Operations Officer
STATEMENT OF CONSENT

I, Kelly Donald Jackson, D.D.S., 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 19th day of December, 2013.

[Signature]

KELLY DONALD JACKSON, D.D.S.