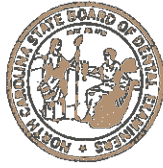


# NORTH CAROLINA STATE BOARD OF DENTAL EXAMINERS

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September 25, 2017

## CERTIFIED/RETURN RECEIPT MAIL

Dr. David C. Mays  
108 Minuteman Lane  
Washington, North Carolina 27889

Re: File # 16-209

Dear Dr. Mays:

The Investigative Panel of the North Carolina State Board of Dental Examiners has completed its review of all materials, documentation, and information presented at the pre-hearing conference you attended on July 13, 2017. The subject of the pre-hearing conference was the treatment, follow-up care, and patient records associated with your treatment of ALH. The Investigative Panel determined that ALH's main complaint was for treatment that exceeded the amount his insurance would cover within a specified time period. This portion of the complaint, therefore, was deemed to be an insurance fee dispute over which the Board has no jurisdiction.

However, in conducting the investigation the Investigative Panel was struck by the mistakes and paucity of your patient records. With regard to ALH; dates of treatment and tooth numbers were inaccurate (later corrected), medications were not charted, descriptions of procedures performed were minimally noted with no detail, informed consent forms were totally absent, and discussions that you or staff had with the patient were non-existent. In discussions with the Investigative Panel you acknowledged these problems with record keeping but indicated that, since ALH's complaint, you had changed and radically improved your approach to patient records.

Based on this assertion, the Investigative Panel subpoenaed fifteen (15) additional patient records whose treatment occurred after ALH lodged his complaint. Assertions to the contrary, the Investigative Panel could find no improvement. The lack of content in your patient records simply does not meet the standard of care for patient records. Therefore, the Investigative Panel proposes to issue you a Reprimand and require that within one year of the date the Reprimand is issued that you take and complete a Board approved course in dental record keeping. You would be responsible for all costs associated with taking this course.

Please note that this is simply a recommendation of the Investigative Panel that requires your consent. If you do not wish to accept the Investigative Panel's recommendation for a reprimand you have the right to request a formal hearing. This request must be in writing and must be made within thirty (30) days of receiving this letter. If you wish to accept this reprimand, please sign the enclosed acceptance and return it to the Board within the next thirty (30) days. The matter will then be placed on the Board's agenda for approval. However, there is a possibility that the full Board may reject this offer of a Letter of Reprimand made by the Investigative Panel. If this occurs, the Board may propose a Consent Order or set the matter for a formal public hearing. We will let you know in writing as soon as possible after the full Board has made a decision.

An official reprimand is considered public discipline and would include:

- a copy of this letter being kept on file with the North Carolina State Board of Dental Examiners,
- notification of the reprimand being sent to the National Practitioner Data Bank,
- a copy of the reprimand being posted on the Board's website for approximately three (3) months, and
- public access to the reprimand available upon request through the Board's compliance with North Carolina Public Records law.

Should you accept this recommendation and fail to complete the record keeping course within one year, the Board would schedule a Show Cause hearing to determine what, if any, additional disciplinary action to take.

If you have any question or need additional information, please do not hesitate to contact me.

Best regards,



Casie Goode

Director of Investigations

Deputy Operations Officer



cc: Case Officer  
Mr. Bobby D. White, Board Counsel

ACCEPTED:

 October 9, 2017  
DATE

DAVID C. MAY, D.D.S.

DATE

November 10, 2017

RATIFICATION DATE