



E-Forum Newsletter

SCAM ALERT!

The Dental Board recently became aware of a potential scam that involves notifying dentists of the suspension of their license. The fictitious notice of suspension arrives by facsimile and bears several realistic seals, marks, and signatures of the Board and Board personnel. However, upon close inspection of the document it can quickly be spotted as a fake. Here are some telltale signs:

- The document cites federal law. The Dental Board acts pursuant to North Carolina law as codified in the Dental Practice Act.
- The name of the “Officer in Charge” can quickly be checked against the list of staff and Board members found on the Board’s website. <https://www.ncdentalboard.org/contact.htm>
- Suspension of a license is a legal proceeding subject to due process rights. This means licensees have the right to “notice and to be heard” before any action occurs. The Board never suspends a license by facsimile as a first step in any proceeding. If you receive notice of any action being taken against your license and have heard nothing prior from Board personnel – be VERY suspicious.

Please call the Board’s office if you have received a similar document or have any questions.

Bobby White, CEO and Legal Counsel, 919-459-1790
Casie Goode, Dir. Of Investigations, 919-459-1783



scam_Redacted.pdf

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Upcoming Board Meetings

- May 15-16, 2024
Sunset Beach, NC
- June 7-8, 2024
Morrisville, NC
- July 12-13, 2024
Morrisville, NC
- August 9-10, 2024
Morrisville, NC
- September 13-14, 2024
Morrisville, NC

Unlicensed Practice of Dentistry/ Dental Hygiene

Since the beginning of 2023, the Board has seen an uptick in the number of reported cases of the unlicensed practice of dentistry and dental hygiene. The cases range from attempts at complete orthodontic treatment to bonding veneers and replacing broken teeth. On at least ten occasions the Board has been successful in obtaining court-ordered injunctions to shut down these illegal practices.

To view these cases and read the injunctions [click here](#).

Along these same lines, the Board was able to track down and refer to law enforcement an individual who fraudulently claimed to be a licensed North Carolina Dental Hygienist. She was arrested recently by the Davidson County Sheriff's Office. To read more, [click here](#).

As a reminder, when hiring a dentist or dental hygienist the employer must verify that the prospective employee is currently licensed in North Carolina and the license/renewal certificate must be displayed. Dentists must display their license or a duplicate license along with a current certificate of renewal in each office in which they practice. [NCGS 90-33] Dental hygienists must display their original license and current renewal certificate where the hygienist is employed. If working in multiple offices, the hygienist may display only the current renewal certificate where treatment is being offered as long as the original license and renewal certificate remain on display in the office of primary employment. [21 NCAC 16I .0109]

To verify the status of a licensee, use the "Verification/Disciplinary History" tab on the Board's website: <https://www.members-base.com/NCBDESearch/search>

Meeting Information on our Website

Information on past and future Board meetings may be accessed directly from the Board's website.

The Meeting Announcements link will take you to a page that contains links to all scheduled Board meeting dates for the year. Also listed are links to Meeting Agendas and Meeting Minutes for the past few years.

The Board website address is:

<http://www.ncdentalboard.org>



Radiation Protection

The Radiation Protection Division of the Department of Health and Human Services has made the Board aware of an increase in the number of violations they are uncovering related to hand-held radiograph machines. Specifically, these violations include:

- 1) Purchase and use of hand-held machines that are ordered on-line, do not have FDA approval, and are not purchased from a registered NC provider.
- 2) Increased use of hand-held devices in unprotected areas including lobbies, waiting areas, and multi-chair "open bay" operatories.
- 3) Continued use of broken equipment especially as it applies to cones and scatter-back shields.

Dentists are reminded that failing to provide radiation safeguards as required by state and federal agencies is considered Unprofessional Conduct under NC Rule 21 NCAC 16V .0101(10).

What's the Board Interpretation?*

The Question

May a dental office stagger dental hygiene appointments to avoid cancellations while complying with the statute that requires a dentist in private practice to supervise no more than two hygienists "...at one and the same time who are employed in clinical dental hygiene positions." [G.S. 90-233(b)]

The Facts

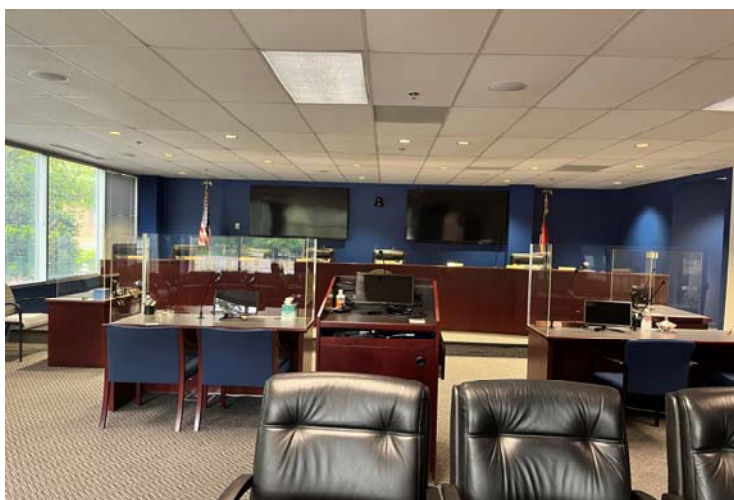
A private Practice utilizes four dentists, eight dental hygienists and several DA II's. On a day with a full dental and dental hygiene schedule, Dentist #4 calls in sick and is unable to work. All restorative patients for Dentist #4 are rescheduled. However, may the remaining three dentists keep the full dental hygiene schedule by carefully "staggering" the schedule so that only six hygienists are involved in clinical procedures at the same time while two hygienists are engaged in non-clinical procedures?

The Response

The Board has previously stated that a single dentist in private practice may stagger hygiene appointments to maximize patient care as long as no more than two hygienists are providing clinical care at the same time. [NCGS 90-233(b)] This statement was based on an office format in which one dentist employed three dental hygienists – one of which is consistently engaged in administrative office duties and performed clinical procedures **only** when one other hygienist was not.

Here the facts indicate all eight dental hygienists are engaged exclusively in clinical procedures and have a full schedule of patients for the day. The two hygienists normally supervised by dentist #4 are now unsupervised and cannot perform clinical procedures. Dentists 1-3 could volunteer to provide supervision, but this would mean only one of the two hygienists they normally supervise could be engaged in clinical procedures. This creates a scenario where patient appointments must be delayed throughout the day to meet supervision requirements and at the same time six hygienists are expected to do the amount of work normally accomplished by eight. Patient frustration caused by delayed appointments, confusion over who is supervising whom at any given moment, and pressure for hygienists to work more quickly to meet production goals create what the Board believes is an unacceptable risk to patients and renders the intent of NCGS 90-233(b) unenforceable.

*NOTE: This interpretive statement is intended to provide guidance to dentists and dental hygienists as to how the Board may view an issue based on particular facts. It is neither a statute nor a rule and cannot be enforced as a matter of discipline.



Joint Statement from the Office of Emergency Medical Services And The North Carolina State Board of Dental Examiners

It has been approximately one year since the Office of Emergency Medical Services and the NC Dental Board issued a joint statement on the hiring of EMS personnel to provide services in a dental office. In a nutshell, EMS personnel are governed by specific regulations that call for them to be supervised by a medical doctor and cannot provide EMS services while being supervised by a dentist.

To read the joint statement in its entirety, click [here](#).



Board Elections

Each year two seats on the Dental Board designated for dentists are open for election. Any dentist in the state may run for office if they are licensed by North Carolina and are "actually engaged in the practice of dentistry" in this state. Any interested candidate must file a written petition signed by not less than 10 dentists licensed in North Carolina and "residing or practicing" in our state. The deadline for filing a petition as a candidate is midnight May 20, 2024, and those elected will begin a three-year term of service on August 1st.

There is no designated form for the filing of a petition. However, signatures must be verified so the Board asks that those who sign also print their name and provide a license number to ease the verification process.

**North Carolina State Board of
Dental Examiners**

The purpose of the North Carolina State Board of Dental Examiners is to ensure that the dental profession merit and receive the confidence of the public and that only qualified persons be permitted to practice dentistry and dental hygiene in the state of North Carolina.

By the Numbers (as of April 1, 2024)

Dentists:

| | |
|---------------------------|-------|
| Licensed by NC | 7,317 |
| Licensed and living in NC | 6,434 |
| Actively practicing in NC | 6,053 |

Dental Hygienists

| | |
|---------------------------|-------|
| Licensed by NC | 8,634 |
| Licensed and living in NC | 7,644 |
| Actively practicing in NC | 6,859 |

**North Carolina State Board of
Dental Examiners**

2000 Perimeter Park Drive
Suite 160
Morrisville, NC 27560

Phone: 919-678-8223
Fax: 919-678-8472
E-mail: info@ncdentalboard.org



Current Board Members

| | Term Expires |
|--|--------------|
| Catherine A. Watkins, DDS, President (Winston-Salem)* | 2024 |
| Mark W. Johnson, DDS, Secretary/Treasurer (New Bern) | 2026 |
| Karen E. Lanier, DDS, Past President (High Point) | 2025 |
| Edward J. Clemons, Jr., DDS, Past President (Durham) | 2024 |
| William M. Litaker, Jr., DDS (Hickory) | 2026 |
| W. Stan Hardesty, DDS (Raleigh)* | 2025 |
| Lori Hendrick, RDH (Shelby)* | 2026 |
| Dominic Totman, Consumer Member (Raleigh) | 2024 |

*Eligible to seek a second three-year term