BEFORE THE NORTH CAROLINA STATE BOARD OF DENTAL EXAMINERS

IN THE MATTER OF:

DANIEL WAYNE DRISKILL, D.D.S.
(License No. 9447; Permit No. 1124)

CONSENT ORDER
SUMMARILY RESTRICTING
MODERATE SEDATION PERMIT

Pursuant to G.S. 150B-3(c), the North Carolina State Board of Dental Examiners ["Board"] Hearing Panel finds that the public health, safety, and welfare requires emergency action and hereby summarily restricts the moderate sedation permit issued to Daniel Wayne Driskill, D.D.S. ["Respondent"], with his agreement and effective upon entry of this Consent Order. This action is being taken based on evidence and information obtained to date during the Board’s initial investigation of this matter. The Board’s preliminary investigation includes review and evaluation of Respondent’s required adverse occurrence report submitted to the Board on December 29, 2023 and his treatment record for patient D.S., among other related information. On November 29, 2023, Respondent administered sedatives and anesthetics to D.S., who was transported from Respondent’s office, admitted to a hospital, and subsequently died on December 4, 2023.

The Board’s Investigative Panel has concluded a preliminary review and investigation and has reached an agreement with Respondent to summarily restrict his moderate conscious sedation permit during these proceedings. Pursuant to this agreement and Consent Order, Respondent shall not administer any level of sedation to patients. This Order does not prohibit Respondent from administering to patients, if clinically appropriate to do so, (i) local anesthetic, (ii) nitrous oxide, or (iii) anxiolysis, but
only in strict compliance with 21 NCAC 16Q .0101(3) and the interpretive statements attached to this Consent Order.

Respondent may utilize an independent provider who is authorized to administer general anesthesia or sedation without supervision, such as an anesthesiologist or an itinerant permit holder. Alternatively, Respondent may utilize and supervise the services of an independent Certified Registered Nurse Anesthetist ["CRNA"] to administer a level of sedation not to exceed moderate conscious sedation. Respondent shall not permit a CRNA to administer Propofol nor any drugs designed by the manufacturer for use in administering general anesthesia or deep sedation or drugs contraindicated for use in moderate conscious sedation, such as ketamine. Respondent remains responsible for supervising any CRNA utilized, including compliance with this Consent Order.

Respondent shall only utilize an independent anesthesia provider or supervise a CRNA that is in good standing with the provider’s applicable licensing board(s) and shall have practiced for a minimum of 3 years prior to administering sedation in Respondent’s office, while this Order remains in effect. Respondent shall keep records demonstrating his use of an independent anesthesia provider or CRNA for each patient to whom sedation is administered and provide such records to the Board upon request.

The Board’s summary restriction is not a Final Agency Decision concerning whether Respondent committed any violations of the Dental Practice Act or the Board’s regulations or concerning Respondent’s moderate sedation permit or his dental license. The summary restriction shall remain in effect while the investigation is pending and until further Order of the Board or a Final Agency Decision is entered.
This the 4th day of January, 2024.

THE NORTH CAROLINA STATE BOARD OF DENTAL EXAMINERS

Casie S. Goode
Director of Investigations
STATEMENT OF CONSENT

I, Daniel Wayne Driskill, D.D.S., do hereby certify that I have read the foregoing Consent Order Summarily Restricting Moderate Sedation Permit and agree to it. By assenting to this Consent Order, I am not admitting to any potential violations of the Dental Practice Act or the Board’s regulations. I understand that:

➤ The Board staff may make unannounced visits to my dental office for the purpose of ensuring full compliance with this Consent Order and may request documentation to determine compliance;

➤ The Board will report the contents of this Consent Order to the National Practitioner Data Bank and that it will become part of the Board’s public record;

➤ The investigation is still ongoing, no decision has been made about whether to issue a notice of contested case hearing and, as a result, I agree that no proceeding will be promptly commenced and determined pursuant to N.C. Gen. Stat. 150B-3(c); and

➤ I waive any ability or potential right to challenge, seek judicial review, or appeal the entry and enforcement of this Consent Order.

I freely and voluntarily enter into this Consent Order, acknowledge that I have not been forced or coerced to sign this Consent Order, and have consulted with my counsel before signing it.

This the 26th day of January, 2024.

Daniel Wayne Driskill, D.D.S.