

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)

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**AMENDED CONSENT ORDER  
SUMMARILY SUSPENDING  
MODERATE SEDATION PERMIT**

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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 suspends the moderate sedation permit issued to Daniel Wayne Driskill, D.D.S. ["Respondent"], with his agreement and effective upon entry of this Amended 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. Respondent agreed to a summary restriction of his sedation permit through a Consent Order entered on January 4, 2024. Following entry of the Consent Order, a Board investigator conducted an inspection of Respondent's office on January 17, 2024 and found several issues regarding Respondent's compliance with the Board's sedation rules, leading the parties to enter into this Amended Consent Order.

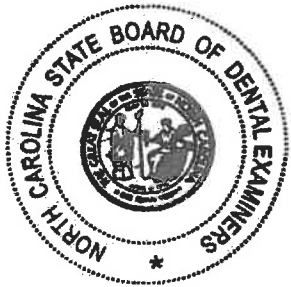
The Board's Investigative Panel has concluded a preliminary review and investigation and has reached an agreement with Respondent to summarily suspend his moderate conscious sedation permit during these proceedings. Pursuant to this agreement and Amended Consent Order, Respondent shall immediately cease administering sedation in North Carolina and surrender his sedation permit. This Amended Consent Order does not prohibit Respondent from otherwise practicing dentistry, including administering, 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 Amended Order.

Respondent may utilize an independent provider who holds an active itinerant permit issued by the Board to administer general anesthesia or sedation ["Sedation"] without supervision and who must be approved by the Board's Investigative Panel before the independent provider administers Sedation to any of Respondent's patients ["Authorized Sedation Provider"]. Because his permit is summarily suspended, Respondent cannot utilize or supervise a CRNA administering Sedation while this Amended Consent Order remains in effect. Any Authorized Sedation Provider shall keep all Sedation drugs in his or her possession and shall not leave any Sedation drugs in Respondent's clinical facilities. Respondent shall immediately dispose of all Sedation drugs in his possession, under the observation of the Board's staff. Respondent shall keep records demonstrating his use of an Authorized Sedation Provider for each patient to whom Sedation is administered and provide such records to the Board upon request.


The Board's summary suspension 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 suspension 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 23rd day of January, 2024.



THE NORTH CAROLINA STATE  
BOARD OF DENTAL EXAMINERS

  
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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 Amended Consent Order Summarily Suspending Moderate Sedation Permit and agree to it. By assenting to this Amended 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 Amended Consent Order and may request documentation to determine compliance;
- The Board will report the contents of this Amended 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 Amended Consent Order.

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

This the 22<sup>nd</sup> day of January, 2024.

  
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Daniel Wayne Driskill, D.D.S.