

BEFORE THE NORTH CAROLINA STATE BOARD OF DENTAL EXAMINERS

In the Matter of:

CONNIE BRUCE GILLIAM, D.D.S.  
(License No. 6034; Permit No. 0622)

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**CONSENT ORDER**

THIS MATTER is before the North Carolina State Board of Dental Examiners (the "Board") as authorized by G.S. § 90-41 for consideration of a Consent Order in lieu of a formal administrative hearing resulting from a settlement conference before the Board on September 8, 2023. Ginger Hunsucker represented Respondent Connie Bruce Gilliam, D.D.S. ("Respondent"), and Douglas J. Brocker represented the Investigative Panel ("IP") of the Board. The parties freely and voluntarily consent to the Findings of Fact and Conclusions of Law set out herein and to the entry of this Consent Order of Discipline.

**FINDINGS OF FACT**

1. The 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 Board.

2. Respondent was licensed to practice dentistry in North Carolina on June 17, 1991 and has held license number 6034 and pediatric moderate conscious sedation permit number 0622 issued on October 15, 2009 at all times relevant hereto.

3. Respondent is subject to the Dental Practice Act and the rules promulgated thereunder.

4. At all times relevant hereto, Respondent practiced as a pediatric dentist in Jacksonville, North Carolina, including administering sedation.

5. On June 6, 2022, Respondent voluntarily submitted an adverse occurrence report regarding her treatment of minor patient Brielle L.

6. Respondent also produced a copy of her treatment record for Brielle L. for Board review. Parts of the record were illegible, but Respondent has cooperated in providing clarification when needed.

7. On February 10, 2022, three-year-old Brielle L. presented to Respondent's office for an evaluation. During that appointment, Respondent planned treatment to address caries on multiple teeth with administration of sedation.

8. On March 10, 2022, Brielle L. presented to Respondent's office for treatment that involved a prophylaxis, an extraction, endodontic treatment, and restorations that spanned all quadrants of Brielle L.'s mouth, while under sedation.

9. Beginning at 10:10 am on March 10, 2022, Respondent administered 500 mg of chloral hydrate, 40 mg of meperidine, and 30 mg of hydroxyzine to Brielle L. Brielle L. weighed 42 pounds, or 19.05 kg, at the time of treatment.

10. At 10:40 am, Respondent commenced the planned treatment.

11. Respondent also administered  $\frac{3}{4}$  of a carpule of 2% lidocaine during the procedure.

12. During the treatment, Brielle L. began making unusual breathing sounds and Brielle L.'s oxygen saturation level initially dropped to 88% at or before 11 am.

13. Respondent or her staff loosened the papoose and administered positive pressure oxygen using an AMBU bag.

14. Brielle L.'s oxygen saturation level varied between 56 and 91 percent for approximately 4-8 minutes. At approximately 11:09 am, Respondent directed her assistant to call 911, and EMS was dispatched.

15. Respondent administered 0.22 mg of Narcan to Brielle L.

16. Respondent, or a staff member at her direction, administered chest compressions to Brielle L. while Brielle L. had a pulse.

17. In her report to the Board, Respondent stated that Brielle L.'s oxygenation spontaneously stabilized soon after 911 was called.

18. Upon arriving, EMS personnel directed that chest compressions cease on Brielle L., who was awake and crying at that time.

19. The EMS crew explained to Respondent that Brielle L. could have broken ribs or suffered other internal damage following the administration of chest compressions while she had a pulse and advised that Brielle L. should be examined at the hospital.

20. Respondent stated that Brielle L. had adequately recovered, did not have any injury, and did not need to be examined by a physician. Based on Respondent's advice, Brielle L.'s mother initially declined to have EMS transport Brielle L. to the hospital.

21. Respondent continued the dental procedures on Brielle L. after EMS left.

22. Brielle L.'s mother changed her mind and decided to have Brielle L. evaluated at the hospital after the dental procedure was complete. EMS returned to Respondent's office to transport Brielle L. to the hospital.

23. Respondent did not provide complete information to the EMS personnel regarding her treatment of Brielle L., including the medications she administered.

24. Brielle L. did not suffer any permanent injury from Respondent's treatment on March 10, 2022.

25. Respondent's records do not document an assessment of Brielle L.'s airway prior to administration of sedation on March 10, 2022.

26. Information regarding the sedative medications administered to Brielle L. on March 10, 2022 was not completely documented in Respondent's treatment record, including the units of measure and concentrations of the drugs.

27. The standard of care applicable to pediatric dentists licensed to practice dentistry in North Carolina at the time Respondent treated Brielle L. required Respondent to administer no more than the recommended dosage of sedatives in combination with other sedatives.

28. The collective amount of combined sedatives that Respondent administered to Brielle L., as recorded in the sedation record, exceeded the recommended dosage relative to Brielle L.'s weight at the time of treatment.

29. Respondent breached the standard of care in administering a combined amount in excess of the recommended dosage of sedatives.

30. The standard of care for dentists licensed to practice dentistry in North Carolina at the time Respondent treated Brielle L. required that dentists respond appropriately to a patient's deteriorating oxygen saturation levels during a sedation procedure.

31. Respondent violated the standard of care by failing to respond appropriately to Brielle L.'s low oxygen saturation levels and medical emergency by:

- a. waiting at least 9 minutes to call 911 after Brielle L.'s oxygen saturation level dropped below 90% and vacillated between the 50s and the 90s;
- b. administering chest compressions to Brielle L. despite the fact that Brielle L. had a pulse; and
- c. failing to fully cooperate with EMS and other first responders once they arrived at her office, at her request.

32. The Board's rules and the standard of care applicable to pediatric dentists licensed to practice dentistry in North Carolina at the time Respondent treated Brielle L. required Respondent to maintain clear and complete sedation and treatment records.

33. Board Rules 21 N.C.A.C. 16Q .0405 and 16T .0101 and the standard of care require clear and complete treatment and sedation records.

34. Respondent violated Board rules 21 N.C.A.C. 16Q .0405 and 16T .0101 and the standard of care by failing to:

- a. keep legible treatment notes;
- b. adequately document a pre-sedation patient assessment, including of Brielle L.'s airway prior to the sedation procedure; and
- c. failing to adequately document sedation medications administered, including the units of measure and concentrations of the drugs.

Based upon the foregoing Findings of Fact and with the consent of the parties hereto, the Hearing Panel enters the following:

#### **CONCLUSIONS OF LAW**

1. The Board has jurisdiction over the subject matter of this action and over Respondent.

2. Respondent was properly notified of this matter and has consented to the entry of this Consent Order.

3. Respondent violated N.C. Gen. Stat. § 90-41(a)(6), the Board's rules governing treatment records and informed consent set out in 21 N.C.A.C. 16Q .0405 and 16T .0101, and the standard of care for dentists licensed to practice dentistry in North Carolina concerning her recordkeeping for Brielle L.

4. Respondent violated N.C. Gen. Stat. § 90-41(a)(12) and the standard of care for dentists licensed to practice dentistry in North Carolina in her treatment of Brielle L. and response to her medical emergency.

#### **ADDITIONAL FINDINGS AND CONCLUSIONS REGARDING DISCIPLINE**

1. Respondent entered into a Consent Order previously with the Board in 1994 concerning both administration of sedation and recordkeeping, among other issues.

2. Respondent voluntarily reported the adverse incident involving Brielle L. to the Board.

3. Respondent cooperated during the IP's investigation by providing documents and information in response to all requests from the Board.

Based upon the foregoing Findings of Fact, Conclusions of Law, and Additional Findings and Conclusions Regarding Discipline, and with the consent of the parties hereto, it is ORDERED as follows:

#### **ORDER OF DISCIPLINE**

1. License number 6034 issued to Respondent for the practice of dentistry in North Carolina is suspended for a period of 60 days, but conditionally reinstated with no active suspension, provided that for a period of two (2) years ("Probationary Period"),

Respondent complies with the requirements and conditions in paragraphs 2-3 of this Order of Discipline.

2. Within six months after the effective date of this Consent Order, Respondent shall complete the following continuing education courses:

- a. A course especially designed for her by the University of North Carolina Adams School of Dentistry or the East Carolina School of Dental Medicine, including a comprehensive remedial course covering: (1) Treatment and sedation recordkeeping including general legibility of records, documentation of physical assessments of the patient prior to administration of sedation, documentation of the amounts of medication administered, and use of the Board's example sedation record form in all of her sedation cases; (2) Pediatric sedation, including pre-sedation assessment, pharmacology, and emergency protocol and treatment; and (3) Ethics and professionalism; and
- b. a simulated emergency protocol course, involving hands-on training in treating medical emergencies.

These required courses shall be approved in advance by the Board's IP and are in addition to the continuing education required by the Board for renewal of Respondent's dental license and sedation permit. Respondent shall submit to the Board's Director of Investigations written proof of satisfactory completion of these courses before they will be accepted in satisfaction of this requirement. Respondent is responsible for making all arrangements for and bearing the costs of these courses within the specified time.

3. Respondent shall adhere to the following additional conditions throughout the Probationary Period:

- (a) Respondent shall not violate any provision of the Dental Practice Act or the Board's rules and regulations;
- (b) Respondent shall neither direct nor permit any of her employees to violate any provision of the Dental Practice Act or the Board's regulations;
- (c) Respondent shall permit the Board or its agents to inspect and observe her office, conduct a random review of patient treatment records, and interview employers, employees, and coworkers at any time during normal office hours and at the Board's sole discretion, in part to ensure that the violations in this matter have been adequately remedied; and
- (d) Respondent shall respond to requests for inspections or interviews promptly, and on the same day as the request, and fully cooperate with the Board or its agent during all inspections and interviews.

4. Respondent recognizes that the conditions, limitations, or requirements set forth in this Consent Order may present her with certain practical difficulties. The Board concludes that each one is necessary to ensure public protection and it does not intend to modify or eliminate any of the conditions, limitations, or requirements set forth herein based on such potential difficulties.

5. If Respondent fails to comply with any provision of this Consent Order or breaches any term or condition thereof, the Board shall promptly schedule a public Show



Cause Hearing to allow Respondent an opportunity to show cause as to why the suspension of Respondent's dental license shall not be activated for violating a valid order of the Board. If after the Show Cause Hearing, the Board is satisfied that Respondent failed to comply with or breached any term or condition of this Consent Order, the Board shall activate the suspension and may enter such other discipline or conditions as the evidence warrants for any proven violations of the Dental Practice Act or of the Board's regulations occurring after entry of this Consent Order.

6. This Consent Order and the provisions contained herein shall be effective upon entry.

7. The Board shall retain jurisdiction of this matter and Respondent to enforce the provisions herein or enter orders as necessary in the future.

This the 20th day of November 2023.

THE NORTH CAROLINA STATE  
BOARD OF DENTAL EXAMINERS



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Casie S. Goode  
Director of Investigations



## STATEMENT OF CONSENT

I, Connie Bruce Gilliam D.D.S., consent as follows solely for the purposes of this proceeding and any future proceedings before or involving the Board, including if future Dental Board disciplinary proceedings or Dental Board action is initiated against me: I hereby certify that I have read the foregoing Consent Order in its entirety. I assent to its terms and conditions set out herein, and desire to resolve this matter without the need for formal proceedings. I freely and voluntarily acknowledge that there is sufficient evidence to form a factual basis for the findings of fact herein, that the findings of fact support the conclusions of law, that I will not contest the findings of fact, the conclusions of law, the additional findings and conclusions regarding discipline, or the order in any future proceedings before or involving the Board. I knowingly waive any right to seek judicial review, appeal, or otherwise later challenge this Consent Order once entered. I agree to service of the Consent Order to the email or mailing address of record with the Board and waive service by any other method. I understand that the Board will report the contents of this Consent Order to the National Practitioner Data Bank and that this Consent Order will become part of the Board's permanent public record. I further acknowledge that this required reporting may have adverse consequences in other contexts and any potential effects will not be the basis for a reconsideration of this Consent Order. I have consulted with my attorney prior to signing this Consent Order. By entering into this Consent Order, I do not admit civil liability nor bind myself in any way in other proceedings not involving the Dental Board.

This the 1 day of NOV 2023.

