BEFORE THE NORTH CAROLINA STATE BOARD OF DENTAL EXAMINERS

IN THE MATTER OF: NATHAN HENRY GRAVES, D.M.D. (License No. 10216; Permit No. 0974)	)	**AMENDED CONSENT ORDER OF INDEFINITE SUSPENSION**

THIS MATTER is before the North Carolina State Board of Dental Examiners (the "Board") as authorized by N.C. Gen. Stat. § 90-41.1(b) for consideration of a proposed amendment to a Consent Order previously entered by the Board against Nathan Henry Graves, D.M.D. ("Respondent") in lieu of a formal administrative hearing. Lambert Guinn represented Respondent, and Douglas J. Brocker represented the Investigative Panel ("the "IP"). The parties freely and voluntarily consent to the following:

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 in October 2015 and holds license number 10216.

3. Respondent was issued moderate conscious sedation permit number 0974 on December 30, 2015.

4. On July 7, 2022, the Board entered a Consent Order Summarily Restricting Respondent's sedation permit ("2022 Interim Consent Order") based on information obtained during a scheduled sedation inspection and the resulting investigation.

5. On May 3, 2023, the Board entered a Consent Order ("2023 Consent Order") to resolve the issues in the investigation of Respondent and the 2022 Interim Consent Order.

6. The 2023 Consent Order is attached and the Findings of Fact contained in it are fully incorporated herein by reference.

7. The 2023 Consent Order placed restrictions on Respondent's sedation permit.

8. The 2023 Consent Order also suspended Respondent's license but restored it for a probationary period of three years, through May 3, 2026, if he complied with certain conditions.

9. A probationary condition of the 2023 Consent Order was that Respondent shall not violate any provision of the Dental Practice Act ("Act") or the Board's regulations.

10. On or about February 9, 2025, Respondent allegedly engaged in actions that resulted in his arrest for criminal charges in file number 25CR231612-640 in New Hanover County.

11. Respondent indicated he suffered a mental health crisis at the time of the events leading to the criminal charges.

12. At the Board's request, Respondent contacted the Caring Dental Professionals ("CDP") program.

13. Through his participation with CDP, Respondent was deemed unfit to practice dentistry at that time because he had experienced a mental health crisis.

14. Respondent subsequently signed a Voluntary Interim Non-Practice Agreement on March 5, 2025 ("NPA") agreeing to cease practicing dentistry and comply with all assessment and treatment recommendations facilitated by CDP.

15. After complying with those recommendations, Respondent entered into a monitoring agreement with CDP on May 13, 2025, and a subsequent series of amendments (collectively hereafter, "CDP Agreement").

16. In the CDP Agreement, Respondent agreed that he could not resume practicing dentistry until cleared by the Board, CDP, and his treatment providers and after his NPA was dissolved.

17. The NPA was not dissolved, and the Board and CDP did not clear Respondent to resume practicing dentistry but did permit him to be in the office solely for administrative duties on a limited schedule.

18. In August 2025, while in the dental office, Respondent engaged in the practice of dentistry with patient(s) on one or more occasions prior to August 25, 2025.

19. The above conduct and Respondent's continuing mental health issues requires activating the suspension of Respondent's license and permit indefinitely for the protection of the public.

20. Respondent desires to enter into this Amended Consent Order for the purpose of resolving the foregoing issues in lieu of a formal, contested case hearing.

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 Amended Consent Order.

3. At all times relevant hereto, Respondent was subject to the Dental Practice Act and the Board's rules and regulations.

4. The Conclusions of Law contained in the 2023 Consent Order are fully incorporated herein.

5. Pursuant to G.S. 150B-41(a)(26), the Board may discipline a dentist for committing unprofessional conduct, as defined in its regulations.

6. The Board's regulations define unprofessional conduct to include violating a previously entered disciplinary order of the Board or failing to comply with any provision of any agreement with the CDP. 21 NCAC 16V .0101(4) and (13).

7. Respondent engaged in unprofessional conduct by engaging in the practice of dentistry and thereby violating his NPA, CDP Agreement, and 2023 Consent Order, in violation of G.S. 150B-41(a)(6) and (26) and 21 NCAC 16V .0101(4) and (13).

8. Respondent suffers from a mental health condition that, when not treated effectively, renders him unfit to practice dentistry pursuant to N.C. Gen. Stat. § 90-41(a)(7).

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

ORDER OF DISCIPLINE

1. The terms of this Order amend and supersede the terms in the 2023 Consent Order.

2. Dental license number 10216 and moderate conscious sedation permit number 0974 issued to Respondent, Nathan Henry Graves, D.M.D, are hereby **INDEFINITELY SUSPENDED.**

3. Respondent may petition the Board to lift the indefinite suspension of his North Carolina dental license and potentially his permit by demonstrating, by clear and convincing evidence, that he has:

   a. complied with all provisions of the CDP Monitoring Agreement and Addenda, including all recommendations of treatment providers;

   b. obtained the support and advocacy of CDP; and

   c. provided satisfactory evidence from an independent clinical provider through CDP that he is safe to resume practice, and to administer sedation if he seeks to reinstate his permit.

4. If the Board approves Respondent's petition and reinstates Respondent's North Carolina dental license or permit in the future, the Board may impose probationary terms and conditions of reinstatement deemed necessary for the protection of the public, including, but not limited to, the requirement(s) that Respondent shall:

a. not violate any provision of the Dental Practice Act or the Board's rules and regulations;

b. neither direct nor permit any of his employees to violate any provision of the Dental Practice Act or the Board's regulations;

c. permit the Board or its agents to inspect and observe his 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;

d. respond to requests for inspections or interviews promptly, and on the same day as the request, and shall fully cooperate with the Board or its agent in all inspections and interviews;

e. if applicable, remain in CDP and fully abide by all terms and conditions of his CDP Monitoring Agreement and any addenda or succeeding agreements with CDP; and

f. sign all necessary releases authorizing CDP to provide information to the Board concerning participation and compliance with CDP, including concerning mental health or substance use diagnosis, evaluation, and treatment, and submitting a monthly report, and not revoke any such releases while this or another Consent Order with the Board remains in effect. Respondent's revocation of any releases authorizing CDP to provide information to the Board would constitute a violation of the Consent Order and warrant reactivating suspension of his dental license and permit.

5. If the Board subsequently reinstates Respondent's moderate conscious sedation permit number 0974, the Permit shall be **RESTRICTED** as set forth below during any period of probation or conditional reinstatement of the permit:

a. Respondent shall not administer any level of sedation to patients, except in full compliance with the conditions set forth in this paragraph.

b. Respondent may administer local anesthetic or nitrous oxide to patients, if clinically acceptable to do so.

c. Respondent may utilize an independent provider who is authorized to administer general anesthesia without supervision, such as an anesthesiologist or an itinerant permit holder.

d. 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, ketamine, or any drugs designed by the manufacturer for use in administering general anesthesia or deep sedation, or drugs contraindicated for use in moderate conscious sedation. Respondent remains responsible for supervising any CRNA utilized, including for compliance with this Amended Consent Order.

e. Prior to utilizing any independent anesthesia provider or supervising a CRNA (collectively, "Sedation Provider"), Respondent shall confirm and maintain appropriate documentation that the

Sedation Provider is in good standing with his or her professional licensing agency or agencies and has been practicing with an unrestricted license for a minimum of five years. Respondent shall provide such documentation to the Board upon request.

f. Respondent shall keep records demonstrating his use of an independent sedation provider or CRNA for each patient to whom sedation is administered and shall provide such records to the Board upon request.

6. Respondent recognizes that the conditions, limitations, or requirements set forth in this Amended Consent Order may present him 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.

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

8. 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 15th day of September 2025.

THE NORTH CAROLINA STATE
BOARD OF DENTAL EXAMINERS

Casie S. Goode
Director of Investigations

STATEMENT OF CONSENT

I, Nathan Henry Graves, D.M.D., do hereby certify that:

- I have read the foregoing Amended Consent Order of Indefinite Suspension in its entirety, and I assent to the terms and conditions set out herein.
- 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, and that I will not contest the findings of fact, the conclusions of law, or the order in any future proceedings before or involving the Board, including if future disciplinary proceedings or action is warranted in this matter.
- I knowingly waive any right to seek judicial review, appeal, or otherwise later challenge the Amended Consent Order once entered.
- I understand that the Board will report the contents of the Amended Consent Order to the National Practitioner Data Bank and that the Amended Consent Order will become part of the Board's permanent public record.
- I 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 the Amended Consent Order.
- I acknowledge that if the Board demonstrates that I engage in the practice of dentistry after entry of this Amended Consent Order of Indefinite Suspension, such actions would be treated as a violation of G.S. 90-41(b) for practicing dentistry while my license is suspended, which could result in my license being permanently revoked.

- I agree to service of the Amended Consent Order on my counsel via email, waive service by any other method, and acknowledge that the Amended Consent Order shall become effective upon entry and service via email.
- I have consulted with my attorney, Lambert Guinn, prior to signing this Amended Consent Order.

This the 2nd day of September 2025.

Nathan Henry Graves, D.M.D.