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)	)	**SECOND 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 second amendment to a Consent Order against Nathan Henry Graves, D.M.D. ["Respondent"] in lieu of a formal administrative hearing. Kenneth L. Jones represented Respondent, and Douglas J. Brocker and Crystal S. Carlisle 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. The Board issued Respondent license number 10216 to practice dentistry in North Carolina in October 2015 ["License"].

3. The Board issued Respondent moderate conscious sedation permit number 0974 on December 30, 2015 ["Sedation Permit"].

4. On May 3, 2023, the Board entered a Consent Order ["2023 Consent Order"] placing Respondent's License and Sedation Permit on probationary status with multiple conditions.

5. On September 15, 2025, the Board entered an Amended Consent Order involving Respondent ["2025 Amended Consent Order"], which concluded that Respondent violated the 2023 Consent Order and indefinitely suspended Respondent's License and Sedation Permit.

6. All findings of fact in the 2025 Amended Consent Order, which is attached, are incorporated by reference into this Second Amended Consent Order.

7. After the 2025 Amended Consent Order was entered on September 15, 2025, the Board received evidence that Respondent was violating the Order of Indefinite Suspension by continuing to own and operate his dental practice, operating as Myrtle Grove Implant & Family Dentistry ["Practice"]. A patient of the Practice notified the Board when he was treated by another dentist at the Practice after Respondent's License was suspended and was upset because he was not aware of Respondent's suspension at the time of the visit.

8. Respondent sold his Practice to another dentist on or about November 1, 2025, and ceased owning or operating the Practice at that time.

9. On March 5, 2026, after completing an investigation, the Board's Investigative Panel issued a Notice of Hearing in this matter, which is set to commence on July 16, 2026.

10. The proceedings in this matter, including Respondent's admissions, established that the following occurred after entry of the 2025 Amended Consent Order

indefinitely suspending Respondent's License and Sedation Permit and prior to the sale of Respondent's Practice:

a. All billings that were generated for dental services and treatment provided to patients at Respondent's Practice were issued under the tax identification number of Respondent's professional entity;

b. All funds received for dental services and treatment provided to patients at Respondent's Practice were paid to Respondent's professional entity;

c. The front door and signage of Respondent's Practice continued to identify Respondent as the practicing dentist; and

d. Respondent's dental License, Sedation Permit, and renewals continued to be displayed on the wall at Respondent's Practice.

11. After entry of the 2025 Amended Consent Order indefinitely suspending Respondent's License and Sedation Permit, Respondent failed to do the following for patients at the Practice with pending treatment plans or scheduled appointments:

a. Within 10 days after the effective date of the active suspension, send notice to the patients, and document in the patient record, that his License was suspended, the reason why his License was suspended, and that the patients should seek treatment from another provider; and

b. Within thirty (30) days of the effective date of his active suspension, deliver all of the patients' treatment records in his possession to another treatment provider as directed by the patients and document that he has done so.

12. The Board did not receive evidence that Respondent engaged in the clinical practice of dentistry on patients, as set forth in N.C. Gen. Stat. § 90-29(b)(1)-(10), after his indefinite suspension took effect on September 15, 2025 and prior to selling his Practice to another dentist on or about November 1, 2025.

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

14. Respondent submitted an application for reinstatement of his dental license on January 30, 2026, but did not file a petition for reinstatement from his disciplinary suspension.

15. Respondent withdraws his 2026 application for reinstatement as part of this Second Amended Consent Order.

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 Second 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 2025 Amended Consent Order are fully incorporated herein.

5. By continuing to own and operate his practice after his indefinite suspension took effect, Respondent violated the following provisions of the Dental Practice Act and the Board's regulations: N.C. Gen. Stat. §§ 90-29(b)(11), 90-41(a)(6) and (26), and 21 NCAC 16V .0101(4).

6. The Board's regulation, 21 NCAC 16T .0104(b), which was adopted effective June 1, 2025, provides in pertinent part: "a dentist whose license is actively suspended for a period of 30 days or longer or is revoked by Order of the Board shall notify all patients with a pending treatment plan or a scheduled appointment of the suspension or revocation in not more than 10 days after the effective date of the active suspension or revocation, the reasons for the suspension or revocation, and consequent inability of the licensee to continue treatment after the effective date of suspension or revocation. The dentist shall advise such patients that the patients may seek treatment from another licensed provider if further treatment is required during the period of active suspension or after the revocation. The dentist shall document the notice in the patient record."

7. The Board's regulation, 21 NCAC 16T .0104(c), which was adopted effective June 1, 2025, provides in pertinent part: "Transfer of Patient Records Upon Revocation or Active Suspension of License– A dentist shall not abandon patient records. Unless otherwise specified by Board Order, within 30 days after the effective date of an active suspension or revocation of a license, the dentist shall deliver all patient records in his or her possession for each patient with an ongoing treatment plan or a scheduled appointment either to the patient or to another treatment provider as directed by the patient, or document good faith efforts to do so."

8. By failing to notify all active patients of his indefinite suspension and transfer his patient records to the patient or another provider as directed by the patient, Respondent violated N.C. Gen. Stat. § 90-41(a)(6) and 21 NCAC 16T .0104(b) and (c).

9. 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 2025 Amended Consent Order.

2. Respondent's Dental License number 10216 and moderate conscious Sedation Permit number 0974 issued to Respondent, Nathan Henry Graves, D.M.D, remain **INDEFINITELY SUSPENDED**.

3. On or after November 1, 2026, Respondent may petition the Board to lift the indefinite suspension of his North Carolina License by demonstrating, by clear and convincing evidence, that he:

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

b. has the support and advocacy of CDP;

c. provides satisfactory evidence from an independent clinical provider through CDP, including an assessment completed within 60 days of

submitting his application and petition, that he is safe to resume practice; and

d. is otherwise fit and safe to resume the practice of dentistry, including the clinical treatment of patients.

4. If the Board approves Respondent's petition and reinstates Respondent's North Carolina License 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) set forth in Paragraph 4 of the 2025 Amended Consent Order. As part of those conditions, Respondent shall comply with all requirements concerning resuming the practice of clinical dentistry as recommended by CDP or his providers, which requirements must be approved by the Board in advance to ensure patient safety and protection of the public.

5. If the Board subsequently reinstates Respondent's License, he may apply for reinstatement of his Sedation Permit. To be eligible for potential reinstatement of his Sedation Permit, Respondent must demonstrate that he has (a) fully complied for at least twelve consecutive months with the terms of any Order reinstating his License and (b) satisfied all requirements in the Board's regulations for issuance of a permit at the time he applies, including completing a qualifying course taken within 180 days of submitting an application for reinstatement of his Sedation Permit. If reinstated, Respondent's Sedation Permit shall be **RESTRICTED** as set forth in Paragraph 5 of the 2025 Amended Consent Order, and any other restrictions or conditions the Board deems appropriate at the time, during any period of probation or conditional reinstatement of the Sedation Permit.

6. While his License is suspended, Respondent shall not engage in the practice of dentistry, as set forth in G.S. 90-29(b)(1)-(11), including owning, managing, supervising, controlling, or conducting any dental practice or any enterprise where the practice of dentistry or dental hygiene is done. Engaging in the practice dentistry while the License is suspended may result in permanent revocation of the License pursuant to G.S. 90-41(b).

7. Respondent recognizes that the conditions, limitations, or requirements set forth in this Second 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.

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

9. 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 11th day of June 2026.

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 Second Amended Consent Order of Indefinite Suspension ["Consent Order"] 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 Consent Order once entered.
- I understand that the Board will report the contents of the Consent Order to the National Practitioner Data Bank and that the Second 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 reconsideration of the Consent Order.
- I acknowledge that if the Board demonstrates that I engage in the practice of dentistry after entry of this Consent Order, including owning or operating a dental practice, 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 Consent Order on my counsel via email, waive service by any other method, and acknowledge that the Consent Order shall become effective upon entry and service via email.
- I have consulted with my attorney, Kenneth L. Jones, prior to signing this Consent Order.

This the _____ day of June 2026.

Nathan Henry Graves DMD (Jun 5, 2026 16:00:50 EDT)

Nathan Henry Graves, D.M.D.

Waiver of Limited Ex Parte Communication

I understand that the proposed Second Amended Consent Order ["Consent Order"] that I have signed is subject to review and approval and is not effective until approved by the Hearing Panel. **I agree and consent that the Hearing Panel members may be provided the proposed Consent Order for review and consideration.**

I further agree and consent that the Board staff, the Investigative Panel ["IP"], and its counsel may discuss the proposed Consent Order and related information and documentation with Hearing Panel members for the purpose of advocating approval of the proposed Consent Order without me or my counsel being present.

If the proposed Consent Order is not approved, I agree and consent that neither I nor anyone on my behalf will assert that that these limited ex parte communications, including review of the documents, will disqualify any Hearing Panel members from considering and deciding this matter after a contested case hearing.

I also agree that I am not entitled to obtain or discover the above-referenced limited communications or the substance of these communications between the Hearing Panel members and the Board staff, the IP, and its counsel, regardless of whether the proposed Consent Order is approved.

I have had the opportunity to consult with counsel before signing and agreeing to this waiver of limited ex parte communication.

Nathan Henry Graves DMD (Jun 5, 2026 16:00:50 EDT)

Nathan H. Graves, D.M.D.
Respondent

Date

Kenneth L. Jones
Counsel for Respondent

6/5/2026
Date