

BEFORE THE NORTH CAROLINA STATE BOARD OF DENTAL EXAMINERS

In the Matter of

Orville D. Williams, DDS
(License No. 7087)

)
)
)
)
)

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. The parties appeared before a Hearing Panel of the Board for a settlement conference on May 20, 2021. Karen H. Stiles represented Respondent, Orville D. Williams, DDS ("Respondent"). Douglas J. Brocker represented the Investigative Panel ("IP"). Based upon the consent of the parties hereto, the Board enters 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 on January 1, 2000, and holds license number 7087.
3. At all times relevant hereto, Respondent was subject to the Dental Practice Act and the Board Rules and Regulations.

4. On April 26, 2017, patient Shannon W. had an initial consult and examination with Respondent at Affordable Dentures in Conover, North Carolina.

5. Shannon W. indicated that he was taking Suboxone on the patient history form he completed and signed in connection with the initial visit.

6. As a result of the consultation and examination, Respondent created a treatment plan for Shannon W. consisting of multiple extractions of his remaining maxillary teeth numbers 3-15, immediate placement of four implants, use of a temporary denture, and fabrication of a permanent maxillary implant-retained denture.

7. On May 10, 2017, Respondent began the treatment plan for Shannon W. On that visit, Respondent extracted all of Shannon W.'s remaining maxillary teeth, which his notes indicated were teeth numbers 3-15 and that he tolerated the extractions well.

8. During that same visit, Respondent placed two implants in the area of tooth numbers 4 and 13, leaving approximately 3mm of the implant collar remaining above the gingival crest.

9. Respondent's treatment notes indicate that the patient did not tolerate the implant procedure well and that he abandoned the original plan to place the two other implants in area of tooth numbers 7 and 10 on that same visit.

10. On that same May 10 visit, Respondent also placed a temporary maxillary denture. Respondent's treatment history notes contain no record of discussions with or instructions to Shannon W. concerning use of the temporary maxillary denture while the implants were in the healing phase until a permanent denture could be placed.

11. Shannon W. returned for a post-operative visit with Respondent later that month.

12. On September 14, 2017, four months later, Shannon W returned to Respondent's office for placement of the remaining two implants in the area of tooth numbers 7 and 10.

13. On March 13 and 16, 2018, at Shannon W.'s next visits, Respondent noted that a new impression would be needed and that his bite was off.

14. On April 27, 2018, a year after Shannon W.'s initial appointment, Respondent noted that the original restorative treatment plan was not going to work, and he needed to discuss a new treatment plan with the lab and then call the patient.

15. Respondent's patient record contains no new treatment plan.

16. On May 18, 2018, Respondent noted that he placed crown abutments on the implants located at tooth area numbers 7 and 10 and prepared the implant collars located at tooth area numbers 4 and 13, as well as obtaining new impressions.

17. On August 3, 2018, Respondent's treatment note indicated "try-in – Okay to process."

18. At the next visit on September 11, 2018, Respondent noted in the record that the case would need to be redone and new impressions were taken again. Respondent's treatment notes contained no record of the nature of the problem with the fabricated denture, only that there was a communication error with the laboratory.

19. After this visit and learning that the permanent denture would not work and would need to be redone approximately sixteen (16) months after the initial treatment and extractions, Shannon W. decided not to return to Respondent for further treatment and sought assistance with another provider.

20. Based on the advice of the subsequent treating dentist, the four implants were not used as originally planned, and a traditional denture was placed instead.

21. Shannon W. paid Affordable Dentures in Conover, North Carolina, where Respondent practices, a total of \$7,138 but never received a permanent maxillary implant-retained denture.

22. In numerous places in the record, Respondent personally indicated that he planned to and did extract tooth numbers 7 and 10, but these teeth were missing at the time of Shannon W.'s initial appointment.

23. Shannon W. was billed and paid for the claimed extraction of these missing teeth, until he brought it to the attention of the practice where Respondent was employed and ultimately was issued a refund for those two items.

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) and (12) in his care and treatment of patient Shannon W. as set forth in Findings of Fact paragraphs 4 through 23 herein.

4. Respondent violated NCAC 16T .0101 by failing to maintain adequate, complete, and accurate patient treatment records, as set forth in paragraphs 4 through 23 herein.

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

ORDER OF DISCIPLINE

1. License number 7087 issued to Respondent for the practice of dentistry in North Carolina is suspended for a period of ninety (90) days. The suspension shall be immediately stayed, and Respondent's license shall remain active, provided that for three (3) years from the entry of this Order, Respondent complies with all the probationary terms and conditions set forth in paragraphs 2-5 of this Order.

2. During the three-year probationary period:

- a. Respondent shall violate no provision of the Dental Practice Act or the Dental Board rules.
- b. Respondent shall neither direct nor permit any employees under his supervision to violate any provision of the Dental Practice Act or the Board's rules.
- c. Respondent shall permit the Board or its agents to inspect and observe any dental office at which he is practicing, conduct a random review of his patient records, and interview employers, employees, and coworkers at any time during normal office hours.

3. Within twelve (12) months from the entry of this Order, Respondent shall complete the following continuing education courses especially designed for him by the University of North Carolina School of Dentistry and approved in advance by the Board's IP, including a comprehensive, remedial course covering: (1) creating and maintaining complete and adequate patient treatment records, including patient medical history, diagnosis, written treatment plans and any modifications, clinical, surgical, procedure, or treatment notes adequately describing the procedures performed, medication prescriptions, and laboratory instructions or directions; (2) patient and case selection, including in the placement of implants and corresponding restorations; and (3) informed consent, including adequate discussion and disclosure with the patient by the dentist consistent with 21 NCAC 16T .0103, and confirmed with a written record as required by 21 NCAC 16T .0101(12). This requirement shall be in addition to the continuing education required by the Board for renewal of Respondent's dental license. 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. It is the Respondent's responsibility to make all arrangements for and bear the costs of these courses within the specified time.

4. After completing the continuing education required by paragraph 3, on a monthly basis for twelve (12) consecutive months, Respondent shall submit to the Board's IP ten (10) complete patient records for patients that he treated during the previous month. The ten patient records shall consist of five patients for whom Respondent has placed implants and five patients for whom Respondent has placed a restoration on implants during the previous month. If Respondent has not treated five patients for implants and

corresponding restorations in a month, he shall submit all patients treated that month for those two issues and submit the remainder of the ten patient records for other patients he treated. The ten example patient records shall be uploaded electronically or delivered to the Board's office no later than the fifteenth day of the subsequent month. After receiving the records, the Board's IP may visit Respondent's office and select additional records to review. If the treatment records provided or obtained are not compliant with the Board's regulations, including 21 NCAC 16T .0101 and .0103, the IP may proceed under paragraph 7 of this Order.

5. Within thirty (30) days of the date of this Order, Respondent shall reimburse patient Shannon W. in the amount of \$7,138, representing the total paid to the dental office at which Respondent practices for his placement of implants and fabrication of a denture.

6. Respondent recognizes that the conditions, limitations, or requirements set forth in this 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. If Respondent fails to comply with any provision of this Order or breaches any term or condition thereof, including those in paragraphs 1-5, the Board shall promptly schedule a public Show Cause Hearing to allow Respondent an opportunity to show cause as to why Respondent's suspension 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 or breached any term or condition of this Order, the Board shall activate the

suspension and may enter such other discipline or conditions as the evidence warrants for proven violations of the Dental Practice Act or of the Board's Rules occurring after entry of this Order.

This the 2nd day of August, 2021

THE NORTH CAROLINA STATE
BOARD OF DENTAL EXAMINERS



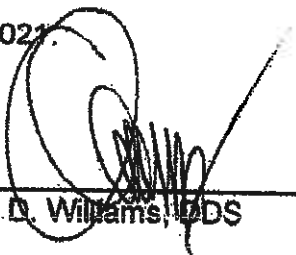
By: 

Edward J. Clemons, Jr., DDS
Presiding Officer of the Hearing Panel

STATEMENT OF CONSENT

I, Orville D. Williams, DDS, do hereby certify that I have read the foregoing Consent Order in its entirety. I assent to its 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, that I will not contest the findings of fact, the conclusions of law, or the order in any future proceedings before or involving the Dental 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 this Consent Order once entered. 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 counsel before signing this Consent Order.

This the 28th day of July, 2021.



Orville D. Williams, DDS