

BEFORE THE NORTH CAROLINA STATE BOARD OF DENTAL EXAMINERS

IN THE MATTER OF:

PHILIP J. ANDREWS, D.M.D.	)	
(License No. 6648)	)	CONSENT ORDER OF
	)	SURRENDER

THIS MATTER is before the North Carolina State Board of Dental Examiners (Board) as authorized by N.C. Gen. Stat. § 90-41.1(b) for consideration of a Consent Order of Surrender of Respondent's dental license. The parties hereby consent to the Findings of Fact and Conclusions of Law set out herein and to the entry of the Order of Discipline. Ginger B. Hunsucker and Kenneth L. Jones represented Respondent. Douglas J. Brocker represented the Investigative Panel of the North Carolina State Board of Dental Examiners.

FINDINGS OF FACT

1. The North Carolina State Board of Dental Examiners is a body duly organized under the laws of North Carolina and is the proper party to bring this proceeding under the authority granted it in Chapter 90 of the North Carolina General Statutes (the Dental Practice Act) and the Rules and Regulations of the North Carolina State Board of Dental Examiners (Dental Board).

2. Respondent was licensed to practice dentistry in North Carolina in 1997 and is subject to the Dental Practice Act and the rules promulgated thereunder.

3. Respondent was engaged in the practice of general dentistry in Winston Salem, North Carolina through at least 2018.

4. Respondent has not practiced dentistry since at least February 2019 and currently is unfit to practice dentistry because of ongoing health conditions.

5. Counsel for Respondent provided the Board with a copy of a General Power of Attorney (POA) executed by Philip J. Andrews to his wife, Susan Newsome Andrews, dated September 12, 2019. The POA specifically authorizes Mrs. Andrews to act with respect to this matter and to execute and deliver this proposed Consent Order surrendering his dental license.

6. Counsel for Respondent also provided the Board with a letter from Dr. Andrews' treating physician establishing that Dr. Andrews was in treatment but was mentally competent. The letter was dated September 11, which was the day before he executed the POA.

7. With specific authority under the POA, Susan Newsome Andrews has signed and submitted the attached statement of consent to surrender on behalf of Respondent.

#### CONCLUSIONS OF LAW

1. Because of his current health conditions, Respondent is unfit to practice dentistry pursuant to N.C. Gen. Stat. § 90-41(a)(7).

2. The consent to surrender shall have the same legal effect on his inability to practice as an indefinite suspension, including for the purpose of N.C. Gen. Stat. § 90-41(b).

3. All matters now pending before the Board shall be stayed but shall be reopened if Respondent files a petition for reinstatement in the future.

4. In any potential petition for reinstatement, Respondent would have the burden of providing evidence of his health conditions at the time of this surrender, any treatment provided after the surrender, and that he was fit to practice dentistry at the time of the petition.

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

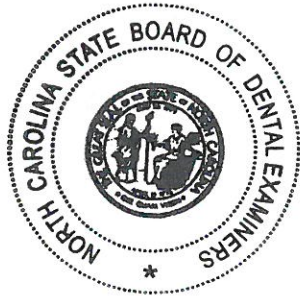
ORDER

1. Respondent surrenders his license to practice dentistry and agrees not to practice dentistry unless he is reinstated by the Board.

This the 15<sup>th</sup> day of October, 2019.

THE NORTH CAROLINA STATE  
BOARD OF DENTAL EXAMINERS

By: Casie S. Goode  
Casie S. Goode  
Director of Investigation



STATEMENT OF CONSENT

I, PHILIP J. ANDREWS, through my spouse and duly appointed General Power of Attorney, Susan Newsome Andrews, do hereby certify that I voluntarily and knowingly elect to surrender my dental license and agree not to practice dentistry unless I am reinstated by the Board in the future. On behalf of Philip Andrews, I have read the foregoing Consent Order in its entirety. I assent to its terms and conditions set out herein. I freely and voluntarily admit that there is 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 Consent Order in any future proceedings before or involving the Dental Board. 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 have consulted with my attorney prior to signing this Consent Order.

This the 24<sup>th</sup> day of September, 2019.



Susan Newsome Andrews  
General Power of Attorney for and  
on behalf of PHILIP J. ANDREWS, D.M.D