

BEFORE THE NORTH CAROLINA STATE BOARD OF DENTAL EXAMINERS

IN THE MATTER OF:

RANJINI RAJENDRAN PILLAI, D.D.S.)
(License No. 7825))

CONSENT ORDER

THIS MATTER is before the North Carolina State Board of Dental Examiners (Board) as authorized by G.S. 90-41.1(b) for consideration of a Consent Order in lieu of a formal administrative hearing. A settlement conference was held on April 30, 2009 with the consent of the parties. Based upon the evidence presented at the settlement conference and with the consent of the parties, the Board hereby enters the following:

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. Dr. Ranjini Rajendran Pillai, (Respondent) was licensed to practice dentistry in North Carolina on June 18, 2004, and is subject to the Dental Practice Act and the rules promulgated thereunder.
3. At all times relevant hereto, Respondent was engaged in the practice of general dentistry in Durham, North Carolina.

4. On April 1, 2008, patient BAK presented to the Respondent's dental office for a comprehensive examination. BAK's case was very complicated and included multiple missing teeth, supraeruption of teeth numbers 23, 28 and 29, fractured and abraded teeth, poor position of existing anterior teeth, a failing anterior prosthesis on teeth numbers 23 – 27 , a collapsed vertical dimension of occlusion and a severely disrupted plane of occlusion.

5. Respondent devised a treatment plan for BAK that called for a number of restorations, crowns, and fabrication of a maxillary fixed bridge and a removable lower partial denture.

6. Despite the numerous complexities of the case, Respondent failed to adequately document any discussions or proposals regarding alternative treatments and/or treatment plans including possible orthodontic treatment for BAK. In addition, Respondent failed to prepare a diagnostic wax up to determine the feasibility of the desired esthetics, occlusal function and vertical dimension of occlusion in a case as complex as BAK's.

7. The Respondent fabricated the mandibular removable partial denture while BAK was in a maxillary temporary prosthesis spanning tooth numbers 3 – 10.

8. Respondent delivered the lower removable partial denture on May 15, 2008, but failed to recognize that BAK's occlusal scheme contacted the clasp assemblies, making it impossible for her teeth to fit together properly and establish a comfortable maximum intercuspation.

9. Also on May 15, 2008, Respondent completed the preparations for crowns on teeth numbers 8, 9 and 10 and for the maxillary bridge.

10. On June 10, 2008, Respondent cemented the crowns and maxillary bridge.

11. Respondent failed to recognize that the maxillary and mandibular prosthesis together did not adequately restore BAK's occlusal scheme, resulting in an open bite, an unbalanced occlusal scheme and ultimately an unstable vertical dimension of occlusion. BAK's occlusion made contact only on her maxillary and mandibular second molars on both the right and left sides when all prosthetics were in place.

12. BAK returned to the Respondent's office on June 12, 2008 for adjustment of the occlusion of tooth number 31.

13. Shortly after the June 12 appointment, Respondent left the country for a month to deal with family matters. She arranged for the former practice owner, Dr. FR, to see Respondent's patients in her absence. Dr. FR saw BAK and adjusted her bite on June 16, 2008 after which BAK indicated that she was comfortable. BAK later requested that Dr. FR remove permanent work from her mouth, which Dr. FR refused to do during on-going treatment by Respondent. Dr. FR offered additional adjustments but BAK refused that option. Dr. FR was hesitant to intervene further on such a large case.

14. On July 14, 2008, BAK returned to Respondent's office, at which time Respondent agreed to reimburse all funds she had received from BAK and paid her another \$310 for services provided by a subsequent treating dentist.

CONCLUSIONS OF LAW

1. The N.C. State Board of Dental Examiners has jurisdiction over the subject matter of this action and over the person of the Respondent.

2. The Dental Board has authority pursuant to N.C. Gen. Stat. §90-41(a)(12) to discipline a licensee who has been negligent in the practice of dentistry.

3. By failing to adequately document any alternative treatments including orthodontic intervention, treatment plans and/or subsequent discussions with the BAK and by failing to perform a diagnostic wax up to determine if the desired esthetics, occlusal function and proposed vertical dimension of occlusion would indeed work for BAK's complex restorative case, Respondent engaged in negligence in the practice of dentistry in violation of N.C. Gen. Stat. §90-41(a)(12).

4. By designing and delivering a mandibular removable partial denture and a maxillary fixed denture that did not adequately restore BAK's occlusal scheme and that left her with an open bite, an unbalanced occlusal scheme and an unstable vertical dimension of occlusion that subsequently caused temporomandibular dysfunction, the Respondent engaged in negligence in the practice of dentistry in violation of N.C. Gen. Stat. §90-41(a)(12).

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

ORDER OF DISCIPLINE

1. License Number 7825 issued to the Respondent for the practice of dentistry is hereby suspended for thirty (30) days.

2. With the Respondent's consent, her dental license shall be conditionally restored, with no active suspension, provided that for a period of two (2) years following the effective date of this order, the Respondent complies with the following probationary terms and conditions:

- (a) Respondent shall violate no provision of the Dental Practice Act or the Board's rules and regulations.
- (b) Respondent shall neither direct nor permit any employee to violate any provision of the Dental Practice Act or the Board's rules and regulations.
- (c) Respondent shall allow the Board or its authorized agents to inspect and observe her office, conduct random patient chart reviews and interview her employees and co-workers at any time during regular office hours.
- (d) Respondent shall, within one (1) year from the date of this Order, complete a continuing education course especially designed for her by the University of North Carolina School of Dentistry in conjunction with, and approved by, the North Carolina State Board of Dental Examiners. This will be comprehensive, remedial courses in prosthodontics, including diagnosis and treatment planning. This requirement shall be in addition to the continuing education required by the Board for the renewal of Respondent's dental license. Respondent shall submit to the Board's Deputy Operations Officer written proof of satisfactory completion of the required 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 cost of the required courses within the specified time.

- (e) Respondent shall, within thirty (30) days from the date of this Order, reimburse the Board for the costs associated with this investigation and pre-hearing conference in the amount of \$ 500.00.

This the 10 day of August, 2009.

BY: Terry W. Friddle
Terry W Friddle
Deputy Operations Officer

STATEMENT OF CONSENT

I, RANJINI RAJENDRAN PILLAI, D.D.S. do hereby certify that I have read the foregoing Consent Order in its entirety and that I do freely and voluntarily admit, exclusively for the purposes of this disciplinary proceeding and any other disciplinary or licensure proceedings before this Board, that there is a factual basis for the allegations set forth therein, that these factual allegations, if proven, are legally sufficient to support findings and conclusions that I am in violation of G.S. Section 90-41(a)(12) and I will not contest the factual allegations therein should further disciplinary action be warranted in this matter, and that I assent to the terms and conditions set forth therein. By signing this Statement of Consent, I hereby express my understanding that the Board will report the contents of this Consent Order to the National Practitioner Data Bank and that this Consent Order shall become a part of the permanent public record of the Board.

This the 24th day of JULY, 2009.



RANJINI RAJENDRAN PILLAI, D.D.S.