

## Supplement D – List of Offenses (towards license revocation or suspension)

### **Unprofessional Conduct**

- Failing to complete appropriate continuing education
- Providing fraudulent and forged evidence regarding continuing education
- Falsifying a prescription for self-use
- Practicing beyond the scope of the definition of dentistry
- Requiring patients sign a 'release from all claims' before releasing records
- Failure to review a patient's most recent radiographs prior to starting orthodontic treatment
- Requiring a patient to sign an agreement that limits the patient's ability to file a complaint

### **Incompetence and Negligence**

- Failing to have a treatment plan or discuss it with the patient
- Failing to implement or document precautions for handling a pediatric patient who had undergone heart surgery
- Covering a pediatric patient's mouth and nose to calm down the patient

### **Gross Negligence**

- Failing to properly review a patient's health history
- Failing to take a full-mouth series of radiographs during 18 months of treatment
- Performing 17 improperly-filled root canals on one patient
- Treating an intoxicated patient who also took a Halcion tablet before dental treatment

### **Repeated Acts of Negligence & Incompetence**

- Inappropriately performing multiple crown restorations
- Failing to complete periodontal exams over 4 years of treatment
- Failing to obtain a biopsy on a lesions that was present for 7 years
- Failing to take radiographs on an orthodontic patient for 3 years

In addition, recent changes to the Dental Practice Act require a licensee on probation by the Board to provide a separate disclosure to their patient that includes the licensee's probation status, duration, end date, restrictions, the Board's phone number and information on how the patient can find further information. This disclosure shall be provided to the patient prior to their first visit following the probationary order in any of the following circumstances:

- Sexual abuse, misconduct or relations with a patient
- Drug or alcohol abuse directly resulting in harm to a patient
- Criminal conviction directly involving harm to public health
- Inappropriate prescribing resulting in harm to patients and a probationary period of 5 years or more.

### **Unprofessional Conduct**

The Dental Board of CA will implement its own investigation of alleged violations that define what constitutes unprofessional conduct. Examples include:

- Patient abandonment
- Self-prescribing medication
- Communicating with patients with threats or harassment
- Aiding or abetting of any unlicensed person to practice dentistry
- Committing any act of sexual abuse, misconduct or relations with a patient
- Alteration of a patient's health record with intent to deceive
- Excessive prescribing or administering of drugs
- Unsanitary or unsafe office conditions, as determined by the customary practice and standards of the dental profession.
- Aiding or abetting of a licensed dentist or dental auxiliary to practice dentistry in a negligent or incompetent manner
- Practicing with an expired license
- Failing to review a patient's most recent radiographs prior to starting orthodontic treatment
- Requiring a patient to sign an agreement that limits the patient's ability to file a complaint with the Board

In addition, failure to provide records requested by the Dental Board of CA within 15 days of the date of receipt of the request or within the time specified by the request, is considered unprofessional conduct unless the licensee is unable to provide the documents within this time period for good cause, including physical inability to access the records in the time allowed due to illness or travel.