

SBDE NO. 2016-00769

IN THE MATTER OF § **BEFORE THE EXECUTIVE COMMITTEE**
§
BETHANIEL JEFFERSON, DDS § **OF THE TEXAS STATE BOARD OF**
§
TEXAS DENTAL LICENSE 21310 § **DENTAL EXAMINERS**

ORDER OF TEMPORARY SUSPENSION

On the 20th day of January, 2016, an Executive Committee of the State Board of Dental Examiners (Executive Committee) met in an emergency meeting to hear evidence and information in the above-styled case pursuant to section 263.004 of the Texas Occupations Code.

The Executive Committee heard evidence and information that the continued practice of dentistry by Bethaniel Jefferson, D.D.S., License No. 21310, would constitute a clear, imminent or continuing threat to a person's physical health or well-being.


The Executive Committee finds, based on the evidence and information presented and the factual and legal bases stated in the Petition for Temporary Suspension, attached and incorporated herein, that the continued practice of dentistry by Bethaniel Jefferson, D.D.S., would constitute a clear, imminent or continuing threat to a person's physical health and well-being.

IT IS, THEREFORE ORDERED that the license issued to Bethaniel Jefferson, D.D.S., is hereby temporarily suspended pursuant to Section 263.004 of the Texas Occupations Code. This Order is final and effective as of the date of signing.

This matter shall be set for a hearing before the State Office of Administrative Hearings not later than the 30th day after the date the license is suspended by the Order. At that time, the State Board of Dental Examiners will present evidence to show that the license of Bethaniel Jefferson, D.D.S. should remain suspended.

STATE BOARD OF DENTAL EXAMINERS

SIGNED this 20th day of January, 2016.



Rudy G. Ramos, D.D.S.
Presiding Officer
Texas State Board of Dental Examiners

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PETITION FOR TEMPORARY SUSPENSION

Now comes the Staff of the State Board of Dental Examiners (SBDE) and files this Petition for Temporary Suspension (Petition) against Bethaniel Jefferson, DDS (Respondent), Texas Dental License No. 21310, based on alleged violations of the Dental Practice Act (the Act), Tex. Occ. Code §§ 251.001 *et seq.* and SBDE Rules, 22 Tex. Admin. Code §§ 101.1 *et seq.*

In support of this Petition and based upon reasonable information and belief, Staff states the following:

JURISDICTION

1. The SBDE has authority and jurisdiction over Respondent's dental license and sedation/anesthesia permits pursuant to Tex. Occ. Code §§ 251.001 *et seq.* and 22 Tex. Admin. Code §§ 101.1 *et seq.*
2. Respondent's dental license and sedation/anesthesia permits were in full force and effect at all dates and times material and relevant to this Petition. Respondent currently holds permits to administer nitrous oxide, Level 1 – Minimal Sedation, and Level 2 – Moderate Enteral Sedation.
3. Section 263.004 of the Act requires the SBDE or an executive committee of the SBDE to temporarily suspend a person's license or permit if it determines that the continued practice of dentistry by the person would constitute a clear, imminent, or continuing threat to the person or another person's physical health or well-being.

FACTUAL ALLEGATIONS

SBDE Staff has received information and based on that information believes that Respondent has engaged in conduct in violation of the Act and SBDE Rules. SBDE Staff further believes that this conduct shows that this petition and the relief requested are necessary to protect the health and public interest of the citizens of the State of Texas. Based on such information and belief, SBDE Staff alleges:

1. On or about January 7, 2016, Respondent fell below the minimum standard of care and engaged in dishonorable conduct when providing dental care to a minor patient. Respondent's dental care resulted in serious harm to the minor patient.
2. Specifically, after Respondent sedated the minor patient, the minor patient began experiencing seizures. Respondent attempted to treat the minor patient's seizures by

administering oral medication (Halcion) instead of contacting emergency personnel. Respondent delayed several hours before contacting emergency personnel. The minor patient suffered severe brain injury as a result.

3. On or about August 10, 2012, Respondent was reprimanded by the SBDE for failure to meet the standard of care in the sedation of a minor patient.
4. Respondent's failure to meet the standard of care in the dental treatment and sedation of the minor patient at issue in this complaint and her previous disciplinary action related to the sedation of a minor patient constitute a pattern of practice that may place her patients at continued risk of serious harm.

LEGAL AUTHORITY

1. The conduct described above constitutes a violation of Tex. Occ. Code § 263.002(a)(3), (4), (10), (12); and 22 Tex. Admin. Code §§ 108.7(1), 108.9(1), (4)(F), (11).
2. Section 263.004 of the Act authorizes the SBDE to temporarily suspend a person's license or permit.

PRAYER

Staff requests that the Executive Committee of the SBDE determine that Respondent has engaged in conduct that shows that the continued practice of dentistry by Respondent would constitute a clear, imminent, or continuing threat to a person's health or well-being. Staff further requests that the Executive Committee enter an *Order of Temporary Suspension* suspending Texas Dental License No. 21310, and/or sedation/anesthesia permits pursuant to Section 263.004 of the Texas Occupations Code.

Filed this 20th day of January, 2016.

Respectfully submitted,

TEXAS STATE BOARD OF
DENTAL EXAMINERS



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