

SBDE NOS. 2017-01278

IN THE MATTER OF	§	BEFORE THE EXECUTIVE COMMITTEE
	§	
TIMOTHY JENNINGS, DDS	§	OF THE TEXAS STATE BOARD OF
	§	
TEXAS DENTAL LICENSE 27673	§	DENTAL EXAMINERS

ORDER OF TEMPORARY SUSPENSION

On the 21st day of June, 2017, 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 sedation by Timothy Jennings, D.D.S., License No. 27673, 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 sedation by Timothy Jennings, 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 Nitrous Oxide, Level 1 and Level 2 sedation permits**, issued to Timothy Jennings, D.D.S., are 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 all related permits are suspended by the Order. At that time, the State Board of Dental Examiners will present evidence to show that the permits of Timothy Jennings, D.D.S. should remain suspended.

During the suspension period referred to above, Respondent SHALL NOT administer nitrous oxide, minimal, or moderate sedation, as defined in the rules of the Board at 22 Tex. Admin. Code §§ 110.1, and is prohibited from performing those acts, procedures, and treatments specified under 22 Tex. Admin. Code § 110.2(a)(1)-(3), in effect at the time of ratification of this Order.

During the period of suspension, Respondent SHALL NOT delegate any minimal or moderate sedation tasks to any employee or auxiliary and SHALL NOT allow any employee or auxiliary, if any, to practice outside the scope of their permitted duties as defined by the Dental Practice Act and rules and regulations of the Board.

STATE BOARD OF DENTAL EXAMINERS

SIGNED this 21st day of June, 2017.

A handwritten signature in black ink, appearing to be 'S. Austin', written over a horizontal line.

Steven J. Austin, D.D.S.
Presiding Officer
Texas State Board of Dental Examiners

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IN THE MATTER OF § **BEFORE THE EXECUTIVE COMMITTEE**
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TIMOTHY JENNINGS, DDS § **OF THE TEXAS STATE BOARD OF**
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TEXAS DENTAL LICENSE 27673 § **DENTAL EXAMINERS**

PETITION FOR TEMPORARY SUSPENSION

Now comes the staff of the Texas State Board of Dental Examiners (Board) and files this Petition for Temporary Suspension (Petition) against Timothy Jennings, DDS (Respondent), Texas Dental License No. 27673, based on alleged violations of the Dental Practice Act (the Act), Tex. Occ. Code §§ 251.001 *et seq.* and Board 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 Board 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's license is currently active. 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 Board or an executive committee of the Board 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

Board staff has received information and based on that information believes that Respondent has engaged in conduct in violation of the Act and Board Rules. Board 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, Board Staff alleges:

On or about April 7, 2017, Respondent fell below the minimum standard of care during the administration of oral sedation to a minor patient. Specifically, Respondent administered an excessive dose of Demerol (Controlled Substance Schedule II) to the three-year-old minor patient. Respondent administered fifty (50) milligrams of Demerol to the thirty-six-and-two-tenths (36.2) pound minor patient, an amount in excess of the appropriate dose for a pediatric patient of that weight. Additionally, during the same appointment, Respondent administered ten

(10) milligrams of Atarax, two (2) carpules of two-percent lidocane, and nitrous oxide sedation up to fifty percent concentration.

LEGAL AUTHORITY

1. The conduct described above represents grounds for discipline of Tex. Occ. Code § 263.002(a)(4), (10); and 22 Tex. Admin. Code §§ 108.7(1), 110.5(b)(1), (c)(1).
2. Section 263.004 of the Act authorizes the Board to temporarily suspend a person's license or permit.

PRAYER

Staff requests that the Executive Committee of the Board 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 the Level 1 and Level 2 sedation permits held by Texas Dental License No. 27673, pursuant to Section 263.004 of the Texas Occupations Code.

Filed this 20th day of June, 2017.

Respectfully submitted,

TEXAS STATE BOARD OF
DENTAL EXAMINERS

/s/

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