

BEFORE THE NORTH CAROLINA STATE BOARD OF DENTAL EXAMINERS

IN THE MATTER OF:

SCOTT M. JENSEN, D.M.D. )  
 ) **CONSENT ORDER**  
(License Number 5555, Permit Number 0007) )  
 )

THIS MATTER is before the North Carolina State Board of Dental Examiners (the "Board") as authorized by N.C. Gen. Stat. § 90-41.1(b) for consideration of a Consent Order in lieu of formal administrative hearing. Respondent Scott M. Jensen, D.M.D. ("Respondent") filed a Petition requesting that the Board terminate his probationary status based on his compliance with his most recent Consent Order. The Investigative Panel (the "IP") does not oppose his petition and consents to the request. The parties freely and voluntarily consent to the following:

**FINDINGS OF FACT**

1. The Board is a body duly organized under the laws of North Carolina and is the proper party to bring this proceeding pursuant to the authority granted to it in Chapter 90 of the North Carolina General Statutes, including the Dental Practice Act in Article 2 and the rules and regulations of the Board set forth in 21 North Carolina Administrative Code Chapter 16.
2. Respondent was licensed to practice dentistry in North Carolina in 1986 and has held license number 5555 at all times relevant hereto.
3. Respondent is subject to the Dental Practice Act and the rules promulgated thereunder.

4. The Board and Respondent entered into a series of Consent Orders in 2003, 2004, 2008, 2014, 2019 and 2020. Of the most recent Orders, on September 17, 2019, the parties entered into a Consent Order summarily restricting Respondent's general anesthesia permit.

5. Thereafter, on August 20, 2020, the parties entered into an Amended Consent Order ("2020 Consent Order"). The 2020 Consent Order set forth a detailed summary of Respondent's prior Consent Orders noted above, which is incorporated herein by reference., and consolidated the continuing requirements into a single Consent Order.

6. The 2020 Consent Order suspended Respondent's license for a period of five years, but conditionally restored his license with a stay of the active suspension subject to Respondent's compliance with certain probationary terms and conditions to continue to remain in effect indefinitely. The 2020 Consent Order also lifted the restriction of Respondent's anesthesia permit subject to Respondent's compliance with the same certain probationary terms and conditions.

7. The probationary terms and conditions of the 2020 Consent Order included (i) refraining from violating, or directing any employees to violate, the Dental Practices Act or the Board's Rules, (ii) cooperating with the Board's agent to inspect and observe Respondent's office, (iii) compliance with the terms of his 2004 and 2008 Consent Orders, requiring participation in the North Carolina Caring Dental Professionals program ("CDP"), complying with all of conditions of his CDP contract, and refraining from use or possession of controlled substances, alcohol or other mood altering substance unless prescribed

during the course of professional treatment, and (iv) submission of quarterly reports by a Board-approved anesthesia practice monitor for a minimum period of three years.

8. Respondent obtained approval by the Board for his anesthesia practice monitor and has submitted quarterly reports as required by the terms of the 2020 Consent Order for more than three years. The monitor's reports noted areas of potential improvement, but did not note any issues that affected the safety of Respondents' patients in the particular cases reviewed.

9. On or about January 12, 2024, the Board received a letter from Dr. Bill Claytor, the Executive Director of CDP. Dr. Claytor described Respondent as an exemplary participant in the CDP program and confirmed Respondent's compliance with program requirements, including more than twenty years of sobriety. Dr. Claytor also commended Respondent's volunteer service with CDP, attendance of programs, professional attitude, and continuing commitment to his Participation Agreement. Dr. Claytor expressed CDP's support for removing the probationary terms and conditions from Respondent's dental license.

10. On March 4, 2024, through his counsel Respondent filed a Petition to terminate his probation asserting that he has fully complied with the terms of his 2020 Consent Order, including his CDP Participant Agreement for multiple years. Respondent cited Dr. Claytor's letter in support of his Petition.

11. The IP is not aware of any evidence disputing or contracting Respondent's Petition.

**CONCLUSIONS OF LAW**

1. The North Carolina State Board of Dental Examiners has jurisdiction over the subject matter of this action and over the person of Respondent.
2. The Respondent has demonstrated consistent compliance with the probationary terms and conditions of the 2020 Consent Order.
3. The Respondent has further demonstrated that the probationary terms and conditions are no longer necessary for Respondent to safely practice dentistry in North Carolina or to protect the public.

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

**ORDER OF DISCIPLINE**

1. The probationary terms and conditions of the 2020 Consent Order are hereby terminated and Respondent's dental license number 5555 and permit number 0007 are no longer subject to probationary status and are transferred to good standing without restrictions.

This the 22nd day of April 2024,

THE NORTH CAROLINA STATE BOARD OF EXAMINERS

BY: *Cassie Goode*  
Deputy Operations Officer



STATEMENT OF CONSENT

I, Scott M. Jensen, D.M.D., do hereby verify and certify that the statements contained in the Petition filed by my counsel on March 4, 2024 are true and accurate. I have read the foregoing Consent Order in its entirety. I assent to its terms and conditions set out herein and verify that the statements contained in it about me are true and accurate. I freely and voluntarily acknowledge that there is sufficient evidence to form a factual basis for the findings of fact, that the findings of fact support the conclusions of law, that I will not contest the findings of fact, the conclusions of law, or the 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 agree to service of the Consent Order to the email or mailing address of record with the Board and waive service by any other method. I have consulted with my attorney prior to signing this Consent Order.

This the 27<sup>th</sup> day of March, 2024.

  
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Scott M. Jensen, D.M.D.