

BEFORE THE NORTH CAROLINA STATE BOARD OF DENTAL EXAMINERS

IN THE MATTER OF:

Mark C. Austin, D.D.S. (License Number 107348))))	CONSENT ORDER SUMMARILY RESTRICTING GENERAL ANESTHESIA PERMIT
---	-------------	--

Pursuant to G.S. 150B-3(c), the North Carolina State Board of Dental Examiners (Board) finds that the public health, safety and welfare requires emergency action and hereby summarily restricts the general anesthesia permit issued to Mark C. Austin, D.D.S. (Respondent), effective upon service of this Order. This action is being taken based on evidence and information obtained to date during the Board's investigation indicating the following occurred:

On July 30, 2020, Patient H.P visited Respondent's office for placement of an implant. Respondent administered sedative agents to patient H.P. prior to and during the procedure. Towards the end of the procedure, patient H.P.'s oxygen saturation levels began to drop significantly. Respondent took certain measures to address H.P.'s de-saturation, such as attempting ventilation, an unsuccessful effort to place an endotracheal tube, and contacting 911, but H.P.'s oxygen levels remained in the 60-70% range for at least 20 minutes. When EMS arrived at Respondent's office at 3:50 P.M., patient H.P. was pulseless and apneic and in an asystole heart rhythm. Respondent had not initiated CPR prior to arrival of EMS.

EMS placed an advanced airway on patient H.P., began CPR, and eventually got a return of spontaneous circulation before transporting him to the Emergency Department at New Hannover Regional Medical Center (NHRMC). At NHRMC, Patient

H.P. was placed in hypothermal protocol, transferred to the intensive care unit, diagnosed with irreversible anoxic brain injury, and died on August 3, 2020. Respondent submitted an adverse occurrence report to the Board on August 28, 2020.

The Board's Investigative Panel has concluded a preliminary review and investigation and has reached an agreement with Respondent. Pursuant to this agreement and Consent Order, Respondent will only administer general anesthesia or sedation utilizing the services of either a Certified Registered Nurse Anesthetist or another provider authorized to administer general anesthesia without supervision while the investigation is pending and until further order of the Board. Respondent shall keep records demonstrating the use of an anesthesia provider for each patient to whom anesthesia or sedation is administered and provide such records to the Board upon request.

The Board's summary restriction is not a final agency decision concerning Respondent's general anesthesia permit, his dental license, or his potential ability to administer anesthesia or practice dentistry in the future. Respondent is not making any admissions for the purposes of this proceeding or any other matter by consenting to this order. The summary restriction shall remain in effect while the investigation is pending and until further Order of the Board.

This the 4th day of January 2021.

THE NORTH CAROLINA STATE
BOARD OF DENTAL EXAMINERS

Casie S. Goode

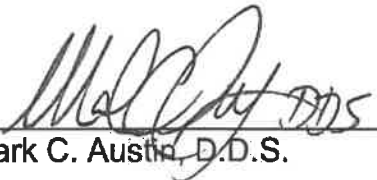
Casie S. Goode
Director of Investigations



STATEMENT OF CONSENT

I, Mark C. Austin, D.D.S., do hereby certify that I have read the foregoing Consent Order Summarily Restricting General Anesthesia permit and assent to it. I understand that the Board will report the contents of this Consent Order to the National Practitioner Data Bank and that it will become part of the Board's public record. I understand that the investigation is still on-going, no decision has been made about whether to issue a notice of contested case hearing and, as a result, I agree that no proceeding will be promptly commenced and determined pursuant to N.C. Gen. Stat. 150B-3(c). I freely and voluntarily enter into this Consent Order and have had an opportunity to consult with my counsel.

This the 28th day of December 2020.



Mark C. Austin, D.D.S.