BEFORE THE NORTH CAROLINA STATE BOARD OF DENTAL EXAMINERS

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| IN THE MATTER OF:<br><br>DARREN JEROME RAMSEY, D.D.S.<br>(License No. 10285) | )<br>)<br>)<br>)<br>) | **CONSENT ORDER** |

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 a formal administrative hearing. Respondent Darren Jerome Ramsey, D.D.S. ["Respondent"] acknowledges that the Board has sufficient evidence to prove and establish the findings of fact and conclusions of law and to warrant the order of discipline. Respondent was represented by Alan Schneider and Joshua Walthall. The Investigative Panel [the "IP"] was represented by Douglas J. Brocker. 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 and the rules and regulations of the Board.

2. Respondent was licensed to practice dentistry in North Carolina in April 2016 and holds license number 10285.

3. At all times relevant hereto, Respondent was subject to the Dental Practice Act and the Board's rules and regulations.

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4. Respondent operates a practice called "Build a Smile" out of an office space in Charlotte, North Carolina, ("office space" or "office") where he provides patients with aligners, removable veneers, teeth whitening, Nesbit flexible partial dentures, and other services.

5. Respondent's office space displays Respondent's dental license on the wall, which is visible to visitors.

6. In Spring of 2024, the Board learned directly from an unlicensed individual that she was placing veneers and partials for her own clients in Respondent's office. The Board also learned that at least two additional unlicensed individuals were providing the same services to their own clients in Respondent's office.

7. All three unlicensed individuals, none of whom were employed by Respondent, performed these dental services when Respondent was not present in his office. Respondent did not control or supervise the provision of dental services by these unlicensed individuals in his dental office in Charlotte.

8. Respondent charged rent to and received rent payments from at least two of the unlicensed individuals who were placing veneers and providing other dental services in his office.

9. Respondent also paid these unlicensed individuals referral fees for patients that they referred to him for treatment.

10. In the treatment of his own patients, Respondent permitted an unlicensed employee to scan his patients' mouths for aligners or veneers when he was not present, outside of his direct supervision and control. Respondent further permitted the unlicensed employee to provide the appliances to his patients without his involvement



Doc ID: 1e8238a2d6991815f9d32cc6566c09eaaec068dc

and admitted that he sometimes did not see patients at or after delivery of dental appliances unless an appliance broke.

11. Respondent also rented his office to two additional individuals that he believed were physician assistants. These two individuals performed Botox treatments in the same office space as Respondent's practice.

12. Following the preliminary investigation, the Board issued a subpoena for Respondent's patient records. Through the response to the subpoena, the Board discovered that Respondent did not maintain any patient files for his own patients. Instead, Respondent was only able to provide the Board information about his patients that he downloaded or through screenshots from third-party websites. He did not have exclusive or complete control over the records.

13. The documentation provided to the Board was very limited and lacked sufficient information about the treatment Respondent provided to his patients.

14. Respondent did not have any information or files for any of the patients treated by unlicensed people in his dental office.

Based upon the foregoing Findings of Fact and with the consent of the parties hereto, the Hearing Panel enters the following:

## CONCLUSIONS OF LAW

1. The Board has jurisdiction over the subject matter of this action and over Respondent.

2. Respondent was properly notified of this matter and has consented to the entry of this Consent Order.



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3. Respondent violated:

a. G.S. § 90-41(13) by aiding, abetting, and assisting unlicensed persons to perform acts that can only be lawfully performed by a dentist licensed in this State;

b. G.S. § 90-41(26) and 21 NCAC 16V .0101(11) by having a professional connection with or lending his name to the unlawful practice of dentistry;

c. G.S. § 90-41(9) by permitting use of his name and license in the illegal practice of dentistry;

d. G.S. § 90-41(26) and 21 NCAC 16V .0101(19) by paying third parties for referral of patients to his practice;

e. G.S. § 90-41(21), 21 NCAC 16G .0103, and 21 NCAC 16H .0203, .205, and .0206 by permitting an unlicensed employee to take scans of his patients and deliver appliances to his patients outside of his direct control and supervision;

f. 21 NCAC 16T .0101 and .0103 by failing to maintain adequate treatment records for his patients; and

g. G.S. § 90-41(6) for the foregoing violations of the Dental Practice Act and the Board's rules.

**ADDITIONAL FINDINGS AND CONCLUSIONS REGARDING DISCIPLINE**

1. Respondent cooperated in the investigation of this matter.

2. Respondent was truthful and forthcoming during the course of the investigation.



Doc ID: 1e8238a2d6991815f9d32cc6566c09eaaec068dc

3. Respondent is willing to participate in additional continuing education addressing the allegations in the Notice of Hearing, is willing to follow the guidelines and recommendations from a tailored continuing education course, and consents to utilizing a practice monitor to confirm that those issues have been addressed and remedied.

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

## ORDER OF DISCIPLINE

1. License number 10285 issued to Respondent for the practice of dentistry in North Carolina is suspended for a period of one year but conditionally restored with no active suspension, provided that for a period of three years, Respondent complies with the requirements in Paragraphs 2 through 4 of this Consent Order.

2. Within six months after the effective date of this Consent Order, Respondent shall complete a continuing education ["CE"] course especially designed for him by the University of North Carolina School of Dentistry or the East Carolina School of Dental Medicine covering the violations noted in the conclusions of law, including proper supervision of ancillary personnel, the public risk of aiding the unlawful practice of dentistry, improper referral fees, jurisprudence of North Carolina dental laws, and adequate recordkeeping for patient treatment records. The course must be approved in advance by the Board's IP. This requirement shall be in addition to the continuing education required by the Board for renewal of Respondent's dental license. Respondent shall submit to the Board's Director of Investigations written proof of satisfactory



Doc ID: 1e8238a2d6991815f9d32cc6566c09eaaec068dc

completion of this course before the course will be accepted in satisfaction of this requirement. It is the Respondent's responsibility to make all arrangements for and bear the costs of this course within the specified time.

3. Within one month after satisfactory completion of the tailored remedial course set forth in Paragraph 2, Respondent shall engage a licensed North Carolina dentist to serve as a practice monitor ["Monitor"], whom Respondent shall submit for review and obtain approval by the Board's IP in advance and at its discretion. The Monitor shall meet with Respondent regularly and no less than quarterly to review example patient charts selected by the Monitor, not by Respondent or employees at the office(s) where he practices. During these meetings, the Monitor shall examine a minimum of ten example patient records to determine Respondent's compliance with the Dental Practice Act, the Board's rules, the applicable standard of care, including the issues addressed in the course in Paragraph 2, and any other issues identified by the Monitor. Respondent shall ensure that the Monitor prepares and timely submits to the Board quarterly reports with the findings concerning those issues for the quarter, **including identifying the specific patient treatment records reviewed**. The IP reserves the right to review the records that the Monitor selects for his/her report, which Respondent shall provide to the IP upon its request. The Monitor reports shall be due no later than January 30, April 30, July 30, and October 30 for the previous quarter in each year. Respondent is responsible for any and all payment of costs associated with this monitoring. If the Monitor reports information to the Board indicating that Respondent may be engaging in a violation of the Board's statutes or regulations or this Order, Respondent understands that such findings may result in further disciplinary action by the Board, including potential activation of his



Doc ID: 1e8238a2d6991815f9d32cc6566c09eaaec068dc

suspension, following notice to Respondent and an opportunity to be heard. If the Monitor's reports and the Board's inspections demonstrate no violations of the Dental Practice Act or the Board's rules continuously for one (1) year, then Respondent may petition the Board to eliminate this requirement for the remaining probationary period.

4. Respondent shall adhere to the following additional probationary terms and conditions:

a. Respondent shall violate no provision of the Dental Practice Act or the Board's rules.

b. Respondent shall neither direct nor permit any of his employees or any others working in his dental practice offices to violate any provision of the Dental Practice Act or the Board's rules.

c. Respondent shall permit the Board or its agents to inspect and observe his office, conduct a random review of patient chart records, and interview employers, employees, and coworkers at any time during normal office hours.

5. Respondent recognizes that the conditions, limitations, or requirements set forth in this Consent Order may present him with certain practical difficulties. The Board concludes that each one is necessary to ensure public protection and it does not intend to modify or eliminate any of the conditions, limitations, or requirements set forth herein based on such potential difficulties.

6. If Respondent fails to comply with any provision of this Consent Order or breaches any term or condition thereof, the Board shall promptly schedule a public Show Cause Hearing to allow Respondent an opportunity to show cause as to why the



Doc ID: 1e8238a2d6991815f9d32cc6566c09eaaec068dc

suspension of Respondent's license shall not be activated for violating a valid order of the Board. If, after the Show Cause Hearing, the Board is satisfied that Respondent failed to comply or breached any term or condition of this Consent Order, the Board shall activate the suspension and may enter such other discipline or conditions as the evidence warrants for proven violations of the Dental Practice Act or of the Board's rules occurring after entry of this Decision.

7. This Consent Order and the provisions contained herein shall be effective upon entry.

8. The Board shall retain jurisdiction of this matter and Respondent to enforce the provisions herein or enter orders as necessary in the future.

This the 28th day of May 2025.

THE NORTH CAROLINA STATE
BOARD OF DENTAL EXAMINERS

Casie S. Goode
Director or Investigations



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## STATEMENT OF CONSENT

I, Darren Jerome Ramsey, D.D.S., do hereby certify that I have read the foregoing Consent Order in its entirety. I assent to its terms and conditions set out herein. I freely and voluntarily acknowledge that there is sufficient evidence to form a factual basis for the findings of fact herein, that the findings of fact support the conclusions of law, that I will not contest the findings of fact, the conclusions of law, the additional findings and conclusions regarding discipline, or the order in any future proceedings before or involving the Board, including if future disciplinary proceedings or action is warranted in this matter. 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 my counsel via email or mailing it to the address of record with the Board and waive service by any other method. I understand that the Board will report the contents of this Consent Order to the National Practitioner Data Bank and that this Consent Order will become part of the Board's permanent public record. I further acknowledge that this required reporting may have adverse consequences in other contexts and any potential effects will not be the basis for a reconsideration of this Consent Order. I have consulted with my attorney, Alan Schneider, prior to signing this Consent Order

This the 30 day of April 2025.

Darren Jerome Ramsey, D.D.S.



Doc ID: 1e8238a2d6991815f9d32cc6566c09eaaec068dc

## Waiver of Limited Ex Parte Communication

I understand that the proposed Consent Order that I have signed is subject to review and approval and is not effective until approved by the Hearing Panel. **I agree and consent that the Hearing Panel members may be provided the proposed Consent Order for review and consideration.**

**I further agree and consent that the Board staff, the Investigative Panel (IP), and its counsel may discuss the proposed Consent Order and related information and documentation with Hearing Panel members for the purpose of advocating approval of the proposed Consent Order without me or my counsel being present.**

**If the proposed Consent Order is not approved, I agree and consent that neither I nor anyone on my behalf will assert that these limited ex parte communications, including review of the documents, will disqualify any Hearing Panel members from considering and deciding this matter after a contested case hearing. I also understand that rejection of the proposed Consent Order will not be a basis for a further continuance of the scheduled hearing dates.**

I also agree that I am not entitled to obtain or discover the above-referenced limited communications or the substance of these communications between the Hearing Panel members and the Board staff, the IP, and its counsel, regardless of whether the proposed Consent Order is approved.

I have consulted with my counsel before signing and agreeing to this waiver of limited ex parte communication.

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| Darren Jerome Ramsey, D.D.S. | 04 / 30 / 2025<br>Date |
| Alan Marc Schneider<br>Alan Schneider<br>Counsel for Respondent | 04 / 30 / 2025<br>Date |
| Joshua Walthall<br>Counsel for Respondent | 04 / 30 / 2025<br>Date |



Doc ID: 1e8238a2d6991815f9d32cc6566c09eaaec068dc