SBDE NO. 09-0814-0519

TEXAS STATE BOARD
DENTAL EXAMINERS,
Petitioner

v.

Charles H. Creed, D.D.S.
TEXAS DENTAL LICENSE
NUMBER 5892,
Respondent

BEFORE THE STATE BOARD
OF

DENTAL EXAMINERS

SURRENDER ORDER

On the 16th day of April, 2010, the State Board of Dental Examiners (hereinafter the “Board” or “SBDE”) met in a regularly scheduled meeting and the above-referenced matter was considered.

CHARLES H. CREED, D.D.S., hereinafter “Respondent,” holder of Texas Dental License No. 5892, voluntarily surrenders dental license No. 5892. Respondent, by signature below, acknowledges that Respondent fully understands the nature of the findings of fact and conclusions of law set out herein, that Respondent has been advised of the right to legal representation, and that Respondent has been given the opportunity to formally contest any Board allegations in an adjudicatory proceeding.

The following Agreed Settlement Order is proposed, contingent on Board approval.

FINDINGS OF FACT

1. On or about June 6, 2007, to November 4, 2008, Respondent prescribed Hydrocodone, a controlled substance, for a total of 3500 tablets for self-medication and for a non-dental purpose.

2. On or about June 6, 2007, to November 4, 2008, Respondent failed to comply with the Controlled Substances Act by his failure to maintain the requisite records for inventory, receipt or dispensing of a controlled substance.

CONCLUSIONS OF LAW

The references to Statutes and Rules cited below are to the Statutes and Rules in effect at the time of the violations.

1. The Texas State Board of Dental Examiners has authority and jurisdiction over this case pursuant to Tex. Occ. Code § 263.002 et seq. and 22 Tex. Admin. Code § 100.2(b)(4) et seq.
2. The conduct described in Finding of Fact No. 1 constitutes a violation of TEX. OCC. CODE § 263.002(a)(3), (7) & (10), and 22 Tex. Admin. Code § 108.9(4) & (6).


ORDER

IT IS THEREFORE ORDERED THAT:

1. The voluntary SURRENDER of Respondent’s Texas Dental License No. 5892 issued to Charles H. Creed, D.D.S., is hereby ACCEPTED. Respondent’s Affidavit of License Surrender is attached hereto as Exhibit "A".

2. Respondent’s voluntary licensure surrender shall resolve SBDE Case No. 09-0814-0519. The surrender of License No. 5892 shall be effective immediately.

3. Respondent shall cease practicing as a dentist in all respects in the State of Texas immediately.

4. Respondent shall take all appropriate measures to effect the surrender of any and all permits, schedules, rights and privileges held by virtue of Texas Dental License No. 5892, no later than the effective date of license surrender.

By signing this Surrender Order, Respondent agrees to its terms, acknowledges Respondent’s understanding of it, and agrees that Respondent will satisfactorily comply with the mandates of this Order in a timely manner or be subject to appropriate disciplinary action by the State Board of Dental Examiners and/or be subject to prosecution for practicing dentistry without a license in Texas.

Respondent’s signature does not constitute either an admission or denial of the allegations set forth in this Order or the underlying complaint, and by his signature he does not admit or deny the findings of fact and the conclusions of law set forth herein.

By signing this Order, Respondent waives any right to a formal hearing and any right to judicial review of this Order.

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All of the above terms, conditions, and penalties become effective on the effective date of this Order or as otherwise set out herein. The effective date of this Surrender Order shall be the date it is executed by the State Board of Dental Examiners.

Charles H. Creed  
CHARLES H. CREED  
Respondent

Christy Fincher  
notarized the signature of  
CHARLES H. CREED this 8th day of December 2008

Christy Fincher  
NOTARY PUBLIC  
IN and FOR THE STATE OF TEXAS

STATE BOARD OF DENTAL EXAMINERS  
SIGNED this 16th day of April, 2010.

William Purifoy, DDS, Presiding Officer  
State Board of Dental Examiners

Tamela Gough, DDS, Board Secretary  
State Board of Dental Examiners
STATE OF TEXAS
COUNTY OF Cherokee

AFFIDAVIT OF VOLUNTARY SURRENDER OF DENTAL LICENSE

Before me, the undersigned authority, personally appeared CHARLES H. CREED, who, being by me duly sworn, deposed as follows:

My name is CHARLES H. CREED. I am the holder of Texas Dental License number 5892. I am over 18 years of age, of sound mind, and I am capable of making this affidavit. I am not under the influence of alcohol or any drugs, have not been coerced, am acting on my own free will, understand that I have the right to discuss this decision with an attorney, and voluntarily agree to sign this Affidavit. Without any threats or promises having been made to me by any agent or employee of the State Board of Dental Examiners, I am signing this document and do voluntarily surrender my Texas Dental License number 5892. The effective date of the surrender will be IMMEDIATELY. This surrender is offered in order to resolve SBDE Case No. 09-0814-0519.

I hereby waive my right to complain or have judicial review of any final order entered by the Texas State Board of Dental Examiners accepting the voluntary surrender of my license. This affidavit of surrender shall become irrevocable upon delivery to the offices of the Texas State Board of Dental Examiners.

Reinstatement of my dental license will be at the sole discretion of the Texas State Board of Dental Examiners. I fully understand that by this surrender, I can no longer legally practice as a dentist in the State of Texas.

CHARLES H. CREED
Texas Dental License #5892

SWORN TO AND SUBSCRIBED before me on the 8 day of December, 2009.

Christy Finch
Notary Public in and for The State of Texas

My Commission Expires: April 14, 2012