SBDE NOS. 2011-01014 & 2012-00421

IN THE MATTER OF THE LICENSE OF	§	**BEFORE THE STATE**
LETITIA L. PLUMMER, DDS	§	**BOARD OF**
TEXAS DENTAL LICENSE NUMBER 20000	§	**DENTAL EXAMINERS**

AGREED SETTLEMENT ORDER

On the 10th day of August, 2012, the State Board of Dental Examiners ("Board" or "SBDE") met in a regularly scheduled meeting and the above styled case was heard.

On March 23, 2012, SBDE staff proposed this Agreed Settlement Order in the above captioned case against Letitia L. Plummer, DDS, hereinafter "Respondent," holder of Texas Dental License No. 20000. At issue are allegations that the Respondent violated the laws and rules regulating the practice of dentistry.

Respondent wishes to waive further formal adjudicatory proceedings and voluntarily enters into the following Agreed Settlement Order. 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. Respondent, Letitia L. Plummer, DDS, holds Texas Dental License No. 20000. Respondent's license was initially issued on December 3, 1999 and was in full force and effect at all dates and times material and relevant to this Agreed Settlement Order.

2. Respondent has no prior disciplinary action on her dental license.

3. During the time period from May 13, 2009 through February 25, 2011, Respondent fell below the minimum standard of care by failing to make, maintain, and keep adequate dental records on patient A.W. Specifically, the record does not include: vital signs, including but not limited to blood pressure and heart rate, or an explanation why vital signs were not obtained; the

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confirmable identification of the provider dentist, and the person making record entries, if different from the provider dentist.

4. On or about December 2, 2010, Respondent fell below the minimum standard of care in the dental treatment of patient A.W. by failing to appropriately diagnose and notify patient A.W. of the poor prognosis for tooth number 4 at the time of treatment. Specifically, Respondent replaced the buildup on tooth number 4, but Respondent failed to note in patient A.W.'s treatment notes any modification to the preparation or placement of a post intended to minimize destruction of the solid tooth structure.

5. On or about September 14, 2011, Respondent failed to display a consumer sign at her place of employment that provided consumer complaint information to dental patients. Respondent was issued a citation, but she failed to respond to the citation.

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 § 251.001 et seq. and 22 Tex. Admin. Code § 101 et seq.

2. Respondent's conduct constitutes a violation of Tex. Occ. Code § 263.002(a)(3), (4) and (10); and 22 Tex. Admin. Code §§ 108.7 and 108.8.

ORDER

IT IS THEREFORE AGREED and ORDERED THAT:

1. Respondent's Texas Dental License No. 20000, issued to Letitia L. Plummer, DDS is hereby issued the sanction of REPRIMAND.

2. Respondent SHALL pay an administrative monetary fine in the amount of three thousand dollars ($3,000.00) payable to the "Texas State Board of Dental Examiners" located at 333 Guadalupe, Tower 3, Suite 800, Austin, Texas. The administrative monetary fine SHALL be paid in one (1) lump sum or in installment payments, the total amount due no later than six (6) months from the effective date of this Order.

3. Respondent SHALL pay restitution directly to patient A.W. in the amount of nine hundred sixty-three dollars ($963.00). Proof of restitution must be provided to the Board no later than thirty (30) days from the effective date of this Order.

4. Respondent SHALL complete a total of twelve (12) hours of Continuing Education courses. Under this stipulation, the continuing education courses SHALL be completed within six (6) months of the effective date of this Order. Continuing Education courses completed SHALL be in the following areas:

Recordkeeping	6 hours
Restoration of Endodontically Treated Teeth	6 hours

This continuing education SHALL be in addition to Respondent's annual continuing education hours required for licensure by the Board. All continuing education courses SHALL be approved in advance by the Board Secretary. It is the responsibility of the Respondent to obtain such approval. Courses taken without prior approval and prior to the effective date of this Order SHALL NOT satisfy the requirements of this Order. The Board Secretary SHALL have the authority to reduce the number of continuing education days or hours based on course availability. Upon the successful completion of each course, the Respondent SHALL provide completion documentation to the Board.

5. Respondent SHALL take and pass the Jurisprudence Assessment within thirty (30) days of the effective date of this Order. The fees for the assessment SHALL be borne by Respondent. A Jurisprudence Assessment taken prior to the effective date of this Order SHALL NOT count towards satisfying this requirement.

6. Respondent SHALL abide by the Laws of the State of Texas, the Dental Practice Act, the rules and regulations of the Board, and any reporting requirements imposed to ensure compliance with this Order.

By signing this Agreed Settlement 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.

Respondent's signature hereon does not constitute either admission or denial of the allegations set forth in this Order or the underlying complaint, and it does not constitute admission or denial of the findings of fact and the conclusions of law set forth.

Respondent, by signing this Agreed Settlement Order, waives any right to a formal hearing and any right to judicial review of this Order. Failure to comply with the terms and conditions of this Order SHALL constitute a violation of this Order and may subject Respondent to further disciplinary action by the Board.

All of the above terms, conditions, and penalties become effective on the effective date of this Order. The effective date of this Agreed Settlement Order shall be the date it is executed by the State Board of Dental Examiners.

Letitia L. Plummer, DDS
Respondent

Moisatsh Buckner notarized the signature of Letitia L. Plummer, DDS, this 5th day of June 2012.

NOTARY PUBLIC
IN and FOR THE STATE OF TEXAS

MOISATSH BUCKNER
Notary Public, State of Texas

MOISATSH BUCKNER
Notary Public, State of Texas
My Commission Expires
December 14, 2013

STATE BOARD OF DENTAL EXAMINERS
SIGNED this 10th day of August 2012.

Tamela Gough, DDS, Presiding Officer

Steven Austin, DDS, Secretary