

SBDE NO. 2021-01094

IN THE MATTER OF	§	BEFORE THE STATE
THE LICENSE OF	§	
CHIJIJOKE ESEONU, DMD	§	BOARD OF
TEXAS DENTAL LICENSE	§	
NUMBER 36040	§	DENTAL EXAMINERS

AGREED SETTLEMENT ORDER

On the 12th day of August, 2022, the State Board of Dental Examiners (Board) met in a regularly scheduled meeting and the above-styled case was heard. The full Board adopted this Agreed Settlement Order (ASO) at a public meeting on the date shown above (effective date).

Chijioke Eseonu, DMD, holder of Texas Dental License No. 36040 (Respondent), appeared at an informal settlement conference on April 11, 2022, at 333 Guadalupe Street, Austin, Texas. Respondent was represented by Jose Treviño. At issue were allegations that Respondent violated the laws and rules regulating the practice of dentistry.

Respondent hereby waives a formal adjudicatory hearing and enters into the following ASO. Respondent, by signature below, acknowledges that Respondent was advised of the right to legal representation, and that Respondent understands the nature of the alleged violations. Respondent's signature hereon also acknowledges that an adequate opportunity was provided to allow Respondent to respond to the alleged violations.

Board member Linda Burke, DDS, and Dental Review Committee member Raymond Wiggins, DDS, MD, represented the Board at the settlement conference held pursuant to Texas Occupations Code § 263.007, and 22 Texas Administrative Code § 107.63. The Board representatives considered information presented by staff, the Respondent, and the Complainant, as applicable. The Board representatives, having carefully considered the Board's disciplinary guidelines, recommended the following ASO contingent on the full Board's approval.

FINDINGS OF FACT

1. Respondent, Chijioke Eseonu, DMD, holds Texas Dental License No. 36040. Respondent's license was initially issued on March 16, 2020, and was in full force and effect at all dates and times material and relevant to this ASO.

2. Respondent holds the following sedation/anesthesia permits issued by the Board:
 - a. Nitrous Certification issued on September 30, 2020;
 - b. Level 1 Anesthesia Permit issued on September 30, 2020;
 - c. Level 2 Anesthesia Permit issued on September 30, 2020;
 - d. Level 3 Anesthesia Permit issued on September 30, 2020; and
 - e. Level 4 Anesthesia Permit issued on September 30, 2020.
3. Respondent does not have prior disciplinary history.
4. On or about July 22, 2021, Respondent fell below the minimum standard of care during the treatment of a patient. Specifically, Respondent:
 - a. administered 2.5 milligrams of Versed, 40 milligrams of propofol and 25 milligrams of ketamine, quickly followed by 10 milligrams of propofol and 30 milligrams of propofol to the patient which is sufficient to render the patient apneic;
 - b. failed to timely recognize the patient's respiratory event that initiated the cardiac event;
 - c. delayed in stopping the procedure and initiating interventional measures until after the patient's vital signs had significantly deteriorated; and
 - d. delayed in contacting emergency medical services.
5. On or about July 22, 2021, Respondent failed to make, maintain, and keep adequate records during the treatment of a patient. Specifically, the records did not include:
 - a. electrocardiogram (EKG) tracing;
 - b. mechanical recordings of heart rate and blood pressure at five (5) minute intervals throughout the procedure;
 - c. an emergency treatment record;
 - d. accurate notation of when the respiratory event that initiated the cardiac event occurred;
 - e. accurate discharge information;
 - f. accurate notation regarding the intubation of the patient;
 - g. accurate notation of medications, including ketamine, and dosage amounts administered to the patient; or
 - h. an explanation why the above items were not included.

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 Board has authority and jurisdiction over this case pursuant to Tex. Occ. Code §§ 251-267 and 22 Tex. Admin. Code §§ 100-125.

2. Respondent's conduct represents grounds for discipline under Tex. Occ. Code § 263.002(a)(4), (10); and 22 Tex. Admin. Code §§ 108.7(1), (2), (5)(D), 108.8(c)(5), (6), (7), (12), 110.6(b)(1), (c)(4)(C), (5), (6)(B), (C), (8)(A).

ORDER

IT IS THEREFORE AGREED and ORDERED THAT:

1. Respondent's Texas Dental License No. 36040, issued to Chijioke Eseonu, DMD, is hereby issued the sanction of WARNING.
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 Street, Tower 3, Suite 800, Austin, Texas 78701-3942. The administrative monetary fine SHALL be paid in full no later than six (6) months from the effective date of this ASO.
3. Respondent SHALL complete a total of twenty-four (24) hours of continuing education (CE) courses, which SHALL be completed within six (6) months of the effective date of this ASO. The twenty-four (24) hours of CE courses completed SHALL be in the following areas:

Risk Management/Record-Keeping	Six (6) hours
Oral Surgery	Six (6) hours
Emergency Management	Six (6) hours
Level 4 Deep Sedation/General Anesthesia	Six (6) hours

This CE SHALL be in addition to Respondent's annual CE hours required for licensure by the Board.

All CE courses SHALL be approved in advance by Board Staff. It is the responsibility of Respondent to obtain such approval. Courses taken without prior approval and/or prior to the effective date of this ASO SHALL NOT satisfy the requirements of this ASO. Board Staff SHALL have the authority to reduce the number of CE days or hours based on course availability. Upon the successful completion of each course, Respondent SHALL provide complete documentation of the course completion to the Board.

4. Respondent SHALL successfully complete the Jurisprudence Assessment-Dentist with Level 4-Deep Sedation/General Anesthesia and submit proof of completion to Board Staff within thirty (30) days of the effective date of this ASO. Respondent may not take the Jurisprudence Assessment-Level 4-Deep Sedation/General Anesthesia prior to the effective date of this ASO. Respondent SHALL be responsible for all costs relating to compliance with this requirement.

- 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 ASO.

Signature page follows.

By signing this ASO, respondent agrees to abide by the laws and regulations 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 ASO. Respondent understands that any violation of these requirements may result in disciplinary action by the Board, and that such action may include suspension or revocation of the respondent's dental license. Respondent further understands that any violation of these requirements may also result in civil or criminal penalties. Respondent agrees to accept the jurisdiction of the Board in any disciplinary proceeding brought against respondent.

THIS ASO IS A PUBLIC RECORD. ANY INFORMATION CONTAINED HEREIN THAT IS EXEMPT FROM THE TEXAS OPEN INFORMATION ACT, DISCIPLINARY HISTORY, OR DISCIPLINARY HISTORY MAY BE USED AS AN INDICATOR OF A FUTURE STATE DISCIPLINATION.

[Signature]

Respondent

Witnessed the signature of _____
on this _____ day of _____, 2021.

Notary Public for the State of Texas



STATE BOARD OF DENTAL PRACTITIONERS
1500 WEST WASHINGTON AVENUE
DALLAS, TEXAS 75201

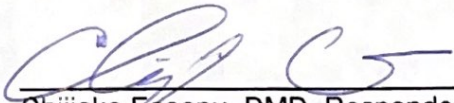
Notary Public for the State of Texas

Notary Public for the State of Texas

By signing this ASO, Respondent agrees to its terms, acknowledges understanding it, and agrees to satisfactorily comply with the mandates of this ASO in a timely manner or be subject to appropriate disciplinary action by the Board. Respondent's signature hereon does not constitute either admission or denial of the allegations set forth in this ASO or the underlying complaint, and it does not constitute admission or denial of the findings of fact and the conclusions of law set forth. This ASO is a compromise agreement pursuant to Tex. R. Evid. 408.

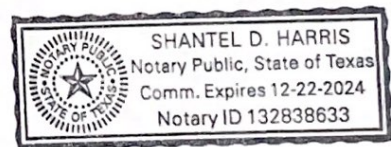
Respondent, by signing this ASO, waives any right to a formal hearing and any right to judicial review of this ASO. Failure to comply with the terms and conditions of this ASO SHALL constitute a violation of this ASO and may subject Respondent to further disciplinary action by the Board. All of the above terms, conditions, and penalties become effective on the effective date of this ASO. The effective date of this ASO SHALL be the date it is adopted by the Board at a public meeting, as shown by the signatures of the Presiding Officer and Board Secretary, below.

THIS ASO IS A PUBLIC RECORD THAT WILL BECOME A PERMANENT PART OF RESPONDENT'S TEXAS DENTAL LICENSE DISCIPLINARY HISTORY. PRIOR DISCIPLINARY HISTORY MAY BE USED AS AN AGGRAVATING FACTOR IN FUTURE BOARD DISCIPLINARY ACTIONS.

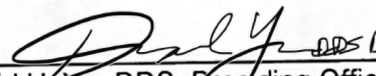

Chijioke Eseonu, DMD, Respondent

Shantel D. Harris notarized the signature of Chijioke Eseonu, DMD, this 04 day of August, 2022.

Shantel D. Harris
NOTARY PUBLIC IN and FOR THE STATE OF TEXAS



STATE BOARD OF DENTAL EXAMINERS
SIGNED this 12th day of August, 2022.


David H. Yu, DDS, Presiding Officer


Jorge Quirch, DDS, Board Secretary