



TSBDE CASE FILE NO. 2022-00061
IN THE MATTER OF LICENSE NO. 14477 ISSUED TO DONNA CLARK-HAGY, DDS

NON-DISCIPLINARY REMEDIAL PLAN

On August 11, 2023, this Remedial Plan was issued by the Texas State Board of Dental Examiners (Board) to resolve the above-referenced matter. This Remedial Plan is issued under the authority of Tex. Occ. Code § 263.0077 and based on the allegation that violations of the laws or rules regulating the practice of dentistry have occurred.

Donna Clark-Hagy DDS, holder of Texas Dental License No. 14477 (Respondent), appeared at an informal settlement conference on May 22, 2023, at 1801 Congress Ave., Suite 8.600, Austin, Texas. Respondent was represented by Roger Berger. Board members Robert McNeill, DDS, MD, Lois Palermo, RDH, and Margo Melchor RDH, Ed.D, represented the Board at the settlement conference and recommend this Remedial Plan to resolve this matter.

Allegations

Based on an investigation Board staff alleges that Respondent fell below the minimum standard of care and failed to make, maintain, and keep adequate records during the treatment Patient 1. Specifically, During the time period from December 20, 2021, through February 24, 2022, Respondent failed to include documentation of diagnosis of decay on tooth 14, clinical notes regarding pupal testing and indication of nerve vitality, description of the materials used and any hemostatic agent administered, or an explanation why these items were not included. Additionally, during the time period from August 3, 2018, through February 10, 2022, Respondent fell below the minimum standard of care and failed to make, maintain, and keep adequate records during the treatment Patient 2. Specifically, Respondent failed to include dated and labeled radiographs, the numbers and types of radiograph taken and the findings deduced from them, or an explanation why these items were not included. These allegations represent grounds for discipline under 22 Tex. Admin. Code §§ 108.7(1), (2), 108.8 (c)(2)(A), (3), (6), (12).

Requirements

1. Within sixty (60) days of the date of issuance of this Remedial Plan by the Board, Respondent SHALL provide proof to the Compliance Division of the Board sufficient to show the successful completion of three (3) hours of pre-approved continuing education courses, all of which shall be in the area of Risk Management and Record Keeping, Courses that are not pre-approved are presumed insufficient.
2. Within sixty (60) days of the date of issuance of this Remedial Plan by the Board, Respondent SHALL remit a five hundred dollar (\$500.00) check or money order to the Board to recover the costs of administering this Remedial Plan.
3. Within sixty (60) days of the date of the issuance of this Remedial Plan by the Board, Respondent SHALL take and pass the Jurisprudence Assessment-Dentists (no sedation permits).
4. Failure to comply with the requirements of this Remedial Plan may result in disciplinary action against Respondent's license.

Acknowledgement

I, Donna Clark-Hagy, DDS, have read and understand the foregoing Remedial Plan, and I agree to its requirements. I neither admit nor deny the allegations made in this Remedial Plan. I voluntarily waive my right to a formal adjudicatory hearing to contest this matter, and I acknowledge that this Remedial Plan is final and non-appealable.

THIS REMEDIAL PLAN IS NON-DISCIPLINARY.
THIS REMEDIAL PLAN IS PUBLIC INFORMATION.
THIS REMEDIAL PLAN IS A SETTLEMENT AGREEMENT UNDER RULE 408 OF THE TEXAS RULES OF EVIDENCE.

Donna Clark-Hagy
Donna Clark-Hagy, DDS, Respondent

July 6, 2023
Date

STATE BOARD OF DENTAL EXAMINERS
SIGNED this 11th day of August 2023.

David H. Yu, DDS
David H. Yu, DDS, Presiding Officer

Robert G. McNeill
Robert McNeill, DDS, MD, Board Secretary