

The charges set forth in the Notice stemmed from three (3) patient complaints that were submitted to the Board separately within a period of a few months, and an audit conducted by the District of Columbia Department of Health Care Finance. The complaints primarily alleged the performance of unnecessary procedures and billing issues. As part of the review of the complaints, ten (10) additional patient files were randomly selected, one (1) of which was identified as problematic. A peer review conducted of the complaints and patient records opined that Respondent had failed to conform to the standards of acceptable conduct and prevailing practice in dentistry. In summary, the peer reviewer's conclusions were¹:

- 1) There was no record of a comprehensive examination performed on three (3) of the patients, even though the patients were billed for the procedure.
- 2) No treatment plan was presented and discussed with three (3) of the patients nor were alternate treatments discussed.
- 3) Respondent completed a debridement and a comprehensive oral evaluation in the same appointment on two (2) of the patients, which would be malpractice because the debridement involves the preliminary removal of plaque and calculus that interferes with the ability to perform a comprehensive oral evaluation.
- 4) Respondent told a patient that the patient had nine cavities and needed to have them filled, but only one (1) of the teeth demonstrated possible caries for treatment.
- 5) Respondent told another patient that the patient had fourteen (14) cavities and insisted that all fourteen (14) be filled that day and did not present other treatment options.
- 6) There was poor recordkeeping on three (3) of the patients, which lacked evidence of an examination of the patient's tissues, no periodontal charting, no caries examination, lack of narrative discussions with the patient, and no diagnostic records describing any rationale for any treatment.

- 7) It was probable that the Respondent's treatment on three (3) of the patients was motivated by financial incentive as opposed to the patient's needs.

The Respondent was also audited as an individual Medicaid provider by the District of Columbia Department of Health Care Finance. As a result of the audit, on or about March 1, 2021, Medicaid suspended payments under the Respondent's individual provider number based on credible allegations that Respondent submitted claims for services not provided. The Respondent's payment suspension remains in place.

At the request of the Respondent, the Board held a settlement conference on the Notice at the Board's monthly meeting on October 16, 2024, with the Respondent, Respondent's Counsel, and the Attorney for the District of Columbia. The parties reached the agreement herein, which was approved by the Board.

The parties have elected to resolve this matter by a public consent order in lieu of an evidentiary hearing. The Respondent acknowledges that if this matter was brought to a hearing, there is sufficient evidence, if proven, to make a *prima facie* case for the charges against the Respondent set forth in the Notice. Based upon the aforementioned, the parties hereby agree and enter into this public consent order as follows:

CONSENT ORDER

It is hereby ORDERED that, effective from the date of execution of this Consent Order, the District of Columbia dental license of Carlos Jones, DDS, License Number DEN1000518, is placed on PROBATION for a period of not less than two (2) years, subject to the terms set forth herein. At the conclusion of the two (2) year period, the Respondent may petition the Board to terminate the probation, which will be conditioned upon the Respondent's full compliance with the terms of this Consent Order; and it is further

ORDERED, that if the Respondent violates any term of this Consent Order, his license shall be Suspended until the Respondent complies with the violated term of the Consent Order, and if the Respondent continues to fail to comply, then his license shall remain suspended for up to two (2) years from the date of the violation; and it is further

ORDERED that the Respondent shall comply with the following terms and conditions:

- a. Practice Monitor: Within sixty (60) days from the date of execution of this Consent Order, continuing for the duration of the period of PROBATION, the Respondent shall employ, at his own expense, a District of Columbia licensed dentist approved by the Board to serve as a practice monitor. The Practice monitor shall conduct monthly reviews of the Respondent's dental practice which shall include:
 - i. An assessment of his records for compliance with the standard of care in diagnosis, treatment, billing, and compliance with regulatory recordkeeping requirements;
 - ii. Observation of his performance of the practice of dentistry; and
 - iii. Submission of quarterly reports to the Board beginning with the first site visit which shall occur not more than ninety (90) days from the date of execution of this Consent Order;
- b. Continuing Education: Within nine (9) months from the date of execution of this Consent Order, unless delayed by the University of Maryland for reasons not caused by the Respondent, such as failure to make payments, failure to request courses, or failure to attend the courses, Respondent shall submit proof to the Board of completing approved live or virtual interactive continuing education courses in dentistry crafted by and provided by the University of Maryland School of Dentistry's Office of Institutional Advancement. The courses must be pre-approved by the Board, and must be in the subject areas and for the credit hours as follows:

- i. Ethics and professionalism- 5 credit hours
- ii. Oral diagnosis and treatment planning- 5 credit hours
- iii. Patient communication- 5 credit hours
- iv. Recordkeeping- 5 credit hours
- v. Practice management- 5 credit hours;


No portion of the credit hours shall be accepted toward the Respondent's continuing education requirements for any renewal period. Proof of completing the courses and submissions for the Board's pre-approval of the course work shall be submitted to Ericka Walker, Executive Director at Ericka.Walker@dc.gov;

- c. Fine: Within six (6) months from the date of execution of this Consent Order, the Respondent shall pay a fine in the amount of Twenty Thousand Dollars (\$20,000.00), which shall be paid by check or money order and made payable to "DC Treasurer", and shall be submitted to Ericka Walker, Executive Director, District of Columbia Board of Dentistry at 2201 Shannon Place, SE, 2nd Floor, Washington, DC 20020; and it is

further

ORDERED that Respondent shall be responsible for all costs associated with this Consent Order.

12/04/2024
Date



Ericka Walker
Executive Director
District of Columbia Board of Dentistry

CONSENT OF RESPONDENT

By signing this Consent Order, I agree to accept and abide by its terms. I acknowledge its validity and acknowledge that I have agreed to the terms set forth in this agreement. I fully acknowledge that by signing this Consent Order, I am waiving my right to confront witnesses, to give testimony, to call witnesses on my behalf, and to all other substantive and procedural protections provided by law. I also recognize that I am waiving my right to appeal any adverse ruling by the Board that might have followed any such hearing. By signing this Consent Order, I waive all such rights.

I have had the opportunity to review this document and to seek the advice of my own legal counsel. I choose to sign this Consent Order willingly and without reservation and am fully aware of its meaning and effect.

11/25/2024
Date

[Signature]
Carlos Jones, DDS, DEN1000518



Sworn to and subscribed before me this 25th day of November 2024.

[Signature]
Notary Public

This Consent Order is a Final Order of the Board in this disciplinary matter and a public record and shall be posted on the Department of Health's website and reported to the National Practitioner Data Bank and the Healthcare Integrity Protection Data bank.

¹ One of the complaints primarily asserted a dispute with the billing and was therefore not included in the peer reviewer's opinion on the Respondent's compliance with the standard of care.

Copies to:

- Catherine A. Hanrahan
Attorney for the Respondent
- Shani Brown
Assistant Attorney General
Attorney for the District

JENNIFER THOMPSON
NOTARY PUBLIC DISTRICT OF COLUMBIA
My Commission Expires January 14, 2027

District of Columbia
Signed and sworn to (or affirmed) before me on
Nov 25 2024 by Carlos Jones, DDS
Date Name(s) of individual(s) making statement
[Signature]
Signature of Notarial Officer
Notary Public
Title of Office
My commission expires 01/14/2027