

BEFORE THE ARKANSAS STATE BOARD OF DENTAL EXAMINERS

IN THE MATTER OF:

NEIL W. CARMONY, D.D.S.

ORDER

On the 11th day of July, 1992 comes on for hearing the matter of NEIL W. CARMONY, D.D.S. The Arkansas State Board of Dental Examiners appeared with a quorum of its membership together with its attorney, William H. Trice III. NEIL W. CARMONY, D.D.S. appeared together with his attorney, Wayne Dowd.

From the pleadings, testimony of the witnesses, evidence introduced, the Board finds that:

1. NEIL W. CARMONY, D.D.S. is a licensed dentist in the State of Arkansas under the provisions of the Dental Practice Act and was so licensed at the time of the incidents complained of in the Order and Notice of Hearing.

2. NEIL W. CARMONY, D.D.S., while practicing under a license issued by the Arkansas State Board of Dental Examiners, permitted an unlicensed person to practice dental hygiene more specifically Tamara Jo Armstrong Quinn who was not and is not licensed to practice dental hygiene in the State of Arkansas. NEIL W. CARMONY, D.D.S. admitted to said conduct before the Board.

3. NEIL W. CARMONY, D.D.S., while practicing under a license issued by the Arkansas State Board of Dental Examiners, permitted a person who is not authorized to be a dental assistant with expanded duties to induce and administer nitrous oxide, said

individual being Tamara Jo Armstrong Quinn and Teresa Hackett. NEIL W. CARMONY, D.D.S. admitted to said conduct at the hearing.

4. NEIL W. CARMONY, D.D.S., while practicing under a license issued by the Arkansas State Board of Dental Examiners, permitted an unauthorized person, more specifically Teresa Hackett, to operate radiation equipment without having been trained and tested by the Arkansas State Board of Dental Examiners. NEIL W. CARMONY, D.D.S. admitted to said conduct before the Board.

5. NEIL W. CARMONY, D.D.S., while practicing under a license issued by the Arkansas State Board of Dental Examiners, charged for services rendered to a patient, A.C., when said services were reported to have been rendered by a dental hygienist when in fact the dental hygienist licensed by the State of Arkansas did not provide said services.

6. NEIL W. CARMONY, D.D.S., while practicing under a license issued by the Arkansas State Board of Dental Examiners, charged for services rendered to a patient, K.B., when said services were reported to have been rendered by a dental hygienist when in fact the dental hygienist licensed by the State of Arkansas did not provide said services.

7. NEIL W. CARMONY, D.D.S., while practicing under a license issued by the Arkansas State Board of Dental Examiners, obtained a fee by fraud for charging for services administered to patient, G.G., when said services were not performed.

8. NEIL W. CARMONY, D.D.S., while practicing under a license issued by the Arkansas State Board of Dental Examiners, obtained a

fee by fraud for charging for services administered to patient, V.B., when the services were charged as though they had been rendered by a dental hygienist when a dental hygienist did not provide the services as well as for services not performed.

**WHEREFORE, IT IS CONSIDERED ORDERED AND ADJUDGED that:**

1. NEIL W. CARMONY, D.D.S. violated the Dental Practice Act, more specifically Arkansas Code Annotated §17-82-316(e) that is he permitted an unlicensed person under his supervision to perform an act or service on a patient which constituted the practice of dental hygiene when said person was not a dental hygienist.

2. NEIL W. CARMONY, D.D.S. violated the Dental Practice Act, more specifically Arkansas Code Annotated §17-82-316(f) a violation of a Rule or Regulation of the Board, more specifically Regulation XI(b)(1)(1) in that he permitted an individual not authorized as a dental assistant with expanded to induce nitrous oxide.

3. NEIL W. CARMONY, D.D.S. violated the Dental Practice Act, more specifically Arkansas Code §17-82-316(f) that is a violation of a Rule or Regulation of the Board, more specifically Article XII(e) that is permitting an untrained or unauthorized person to operate radiation equipment.

4. NEIL W. CARMONY, D.D.S. violated the Dental Practice Act, more specifically Arkansas Code §17-82-316(f) a violation of any Rule or Regulation of the Board, more especially Article X(a) that is obtaining a fee by fraud.

5. NEIL W. CARMONY, D.D.S. is fined the sum of One Thousand and No/100 (\$1,000.00) Dollars for each violation of the Dental

Practice Act, more specifically seven (7) in number as referred to in Paragraphs 2 through 8 above for a total fine of Seven Thousand and No/100 (\$7,000.00) Dollars. Said fine will be paid at the rate of One Thousand and No/100 (\$1,000.00) Dollars per month with the first payment being due by the 15th of August, 1992.

6. The license to practice dentistry in the State of Arkansas of NEIL W. CARMONY, D.D.S. is placed on probation for a period of one (1) year for each of the four (4) violations referred to in Paragraphs 2 through 5 above, for a total probationary period of four (4) years. The terms of the probation of NEIL W. CARMONY, D.D.S. are as follows:

- (a) He will obey the Dental Practice Act and the Rules and Regulations of the Arkansas State Board of Dental Examiners.
- (b) He will make his office available for inspection by members of the Arkansas State Board of Dental Examiners and/or their investigators.
- (c) He will make his dental records available for inspection and copying to include x-rays and billing files and dental charts.
- (d) He will pay to the Arkansas State Board of Dental Examiners such out of pocket costs for travel of the investigator or Board member to inspect or retrieve records as well as copying said records during the period of probation.

IT IS SO ORDERED.

ARKANSAS STATE BOARD OF DENTAL EXAMINERS

  
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KENNETH W. LOVERN, D.D.S., President

DATE: 7/23/92

APPROVED AS TO FORM:

  
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WILLIAM H. TRICE III  
Attorney for the Arkansas State  
Board of Dental Examiners

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**BEFORE THE ARKANSAS STATE BOARD OF DENTAL EXAMINERS**

**IN THE MATTER OF: NEIL WALTER CARMONY, D.D.S.**

**ORDER**

On this 6th day of December, 1996, comes on for hearing the matter of Neil Walter Carmony, D.D.S. The Arkansas State Board of Dental Examiners appeared together by a quorum of its membership, together with its attorney, William H. Trice, III; Neil Walter Carmony, D.D.S. appeared *pro se*. From the pleadings, testimony of the witnesses and evidence introduced, the Board finds that:

1. Neil Walter Carmony, D.D.S. is licensed to practice dentistry in the State of Arkansas under the provisions of the Dental Practice Act.
2. Neil Walter Carmony, D.D.S. has testified that he failed to adequately notify and document in a timely fashion the forty (40) hours of continuing dental education he is required to have for the years 1994 and 1995 in order to retain his license to practice dentistry in the State of Arkansas for 1996.

**WHEREFORE, IT IS CONSIDERED, ORDERED AND ADJUDGED THAT Neil Walter Carmony, D.D.S. has violated the Dental Practice Act, more specifically, Ark. Code Ann. § 17-80-104, in that he failed to comply with the continuing education requirements of the Arkansas State Board of Dental Examiners; and Ark. Code Ann. § 17-82-316(B)(3)(f) in that he violated a rule or regulation of the Board, more specifically Article XIV requiring him to file proof of forty (40) hours of continuing dental education prior to his being relicensed to practice dentistry in the State of Arkansas in the year 1996.**

As a result of the above violation of the Dental Practice Act, Neil Walter Carmony, D.D.S. is sanctioned by ordering him to pay a fine to the office of the Arkansas State Board of Dental Examiners of \$100 within thirty (30) days from the date of this Order.

**IT IS SO ORDERED.**

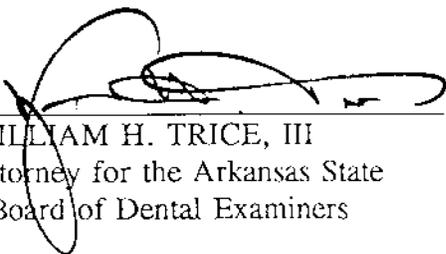
ARKANSAS STATE BOARD OF DENTAL EXAMINERS



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R. LESTER BARRETT, D.D.S., President

DATE: 12-13-1996

APPROVED AS TO FORM:



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WILLIAM H. TRICE, III  
Attorney for the Arkansas State  
Board of Dental Examiners