BEFORE THE ARKANSAS STATE BOARD OF DENTAL EXAMINERS

IN THE MATTER OF:

MICHAEL V. LIGGETT, D.D.S
and WARD W. CLEMMONS, D.D.S

ORDER

On this 14th day of July, 1989, comes on for hearing the disciplinary matter involving MICHAEL V. LIGGETT, D.D.S. and WARD W. CLEMMONS, D.D.S. A quorum of the Arkansas State Board of Dental Examiners appeared together with its attorney, William H. Trice, III and MICHAEL V. LIGGETT, D.D.S. and WARD W. CLEMMONS, D.D.S appeared together with their attorney, Bruce Bethell. From the pleadings, argument of counsel, evidence introduced and testimony of the witnesses, the Board finds that:

1. MICHAEL V. LIGGETT, D.D.S. is a licensed dentist in the State of Arkansas under the provisions of the Dental Practice Act, Act 14 of 1955 as amended and codified in Ark. Code Ann. §17-82-201 et seq.

2. WARD W. CLEMMONS, D.D.S. is a licensed dentist in the State of Arkansas under the provisions of the Dental Practice Act, Act 14 of 1955 as amended and codified in Ark. Code Ann. §17-82-201 et seq.

3. MICHAEL V. LIGGETT, D.D.S. and WARD W. CLEMMONS, D.D.S. received an Order and Notice of Hearing voted by this Board resulting in the disciplinary hearing on this day.

4. MICHAEL V. LIGGETT, D.D.S. and WARD W. CLEMMONS, D.D.S. testified that they in fact authorized an outdoor advertising device to be erected concerning their practice which stated:

"DENTISTRY WITHOUT PAIN"

5. MICHAEL V. LIGGETT, D.D.S. and WARD W. CLEMMONS, D.D.S. testified that through the media, they had made statements to the effect that their practice involved dentistry without pain.

6. Said advertising of painless dentisty is false and misleading to the general public.

7. MICHAEL V. LIGGETT, D.D.S. and WARD W. CLEMMONS, D.D.S. have testified that they have in fact practiced under the fictitious name of "PARKLANE Family Dental Clinic" and that said name has not been approved by the Arkansas State Board of Dental Examiners.

WHEREFORE, IT IS CONSIDERED, ORDERED AND ADJUDGED THAT:

1. MICHAEL V. LIGGETT, D.D.S. has violated Ark. Code Ann. §17-82-316(D), false and misleading advertising.

2. MICHAEL V. LIGGETT, D.D.S. has violated Ark. Code Ann. §17-82-104, practicing under a fictitious name not approved by the Board as further stated in Rule and Regulation of the Board Article VI B.

3. MICHAEL V. LIGGETT, D.D.S., for being in violation of Ark. Code Ann. §17-82-316(D), will be fined Five Hundred Dollars ($500.00) and place on probation for a period of one year. During said period of probation, he is to provide copies of all new advertising concerning his practice to the Board for review.

4. MICHAEL V. LIGGETT, D.D.S., for being in violation of Ark. Code. Ann. §17-82-104 and Rules and Regulations of the Board, Article VI B, is fined the sum of Five Hundred Dollars ($500.00) which said fine is suspended on his further compliance with the Code and Rules and Regulations of the Board.

5. WARD W. CLEMMONS, D.D.S. has violated Ark. Code Ann. §17-82-316(D), false and misleading advertising.

6. WARD W. CLEMMONS, D.D.S. has violated Ark. Code Ann. §17-82-104, practicing under a fictitious name not approved by the Board as further stated in Rule and Regulation of the Board Article VI B.

7. WARD W. CLEMMONS, D.D.S., for being in violation of Ark. Code Ann. §17-82-316(D), will be fined Five Hundred Dollars ($500.00) and place on probation for a period of one year. During said period of probation, he is to provide copies of all new advertising concerning his practice to the Board for review.

8. WARD W. CLEMMONS, D.D.S., for being in violation of Ark. Code. Ann. §17-82-104 and Rules and Regulations of the Board, Article VI B, is fined the sum of Five Hundred Dollars ($500.00)

which said fine is suspended on his further compliance with the Code and Rules and Regulations of the Board.

IT IS SO ORDERED.

ARKANSAS STATE BOARD OF DENTAL EXAMINERS

BY: Jennie Allred, MS

APPROVED AS TO FORM:

William H. Trice, III,
Attorney for the Board