

BEFORE THE ARKANSAS STATE BOARD OF DENTAL EXAMINERS

IN THE MATTER OF
SAM D. NICKOL, D.D.S.

ORDER

The Board issued an Order and Notice of Hearing dated the 17th day of February, 1993. On this 18th day of June, 1993, comes on for hearing the matter of SAM D. NICKOL, 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. SAM D. NICKOL, D.D.S. appeared together with his attorney, Clayton R. Blackstock. From the pleadings, testimony, evidence introduced, agreement of the parties and argument of counsel, the Board finds that:

1. SAM D. NICKOL, D.D.S. is licensed to practice dentistry in the State of Arkansas pursuant to a license issued by the Arkansas State Board of Dental Examiners.

2. After hearing testimony of the witnesses and receiving evidence, SAM D. NICKOL, D.D.S., by and through his attorney, Clayton R. Blackstock, made the following offer to the Board:

A. SAM D. NICKOL, D.D.S., would place himself on voluntary probation with the Arkansas State Board of Dental Examiners for a period of two (2) years under the following conditions:

i) That he would submit to monitoring of his prescribing habits by the Board's investigators.

ii) That he will cease prescribing any medication for employees of his practice.

iii) That he would attend and complete a dental education program on pain management and pain medication.

iv) That as part of his dental education he would attend twelve (12) narcotic anonymous meetings to learn more about those who are at risk for addiction and the signs and symptoms of addiction.

v) That he would refrain from violating the Dental Practice Act and the Rules and Regulations of the Arkansas State Board of Dental Examiners.

B. That the Arkansas State Board of Dental Examiners would not proceed with this disciplinary hearing.

3. Arkansas Code Ann. § 25-15-208(b) of the Administrative Procedure Act provides that an administrative board and a party before the Board can reach informal disposition of an issue by stipulation, settlement, consent order or default.

4. The Board votes by a majority vote to accept the offer of SAM D. NICKOL, D.D.S., of voluntary probation as stated in Paragraph 2 above.

WHEREFORE, IT IS CONSIDERED ORDERED AND ADJUDGED that pursuant to said Arkansas Code Ann. § 25-15-208(b) of the Administrative Procedure Act, the Arkansas State Board of Dental Examiners resolves the disciplinary hearing by settlement, by accepting the offer of SAM D. NICKOL, D.D.S., reflected in Paragraph 2.

IT IS THEREFORE ORDERED that SAM D. NICKOL, D.D.S. will be place on probation for a period of two (2) years from the 18th of June, 1993 and to be on probation under the conditions set forth in 2 above.

IT IS SO ORDERED.

ARKANSAS STATE BOARD OF DENTAL EXAMINERS

By: Robert H. Burch, D.D.S.
ROBERT H. BURCH, D.D.S., PRESIDENT

Date: 27 July 93

APPROVED AS TO FORM:

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

[Signature]
CLAYTON BLACKSTOCK
Attorney for Sam D. Nickol, D.D.S.