

1988

BEFORE THE ARKANSAS STATE BOARD OF DENTAL EXAMINERS

IN THE MATTER OF:

MADISON TALIAFERRO, D. D. S.

ORDER

On this 15th day of January, 1988, comes on for hearing the disciplinary hearing of Madison Taliaferro, D. D. S. The Arkansas State Board of Dental Examiners was present together with its attorney, William H. Trice, III; and Madison Taliaferro, D. D. S., appeared together with his attorney, Michael Rainwater. From the pleadings, testimony of the witnesses, evidence introduced, and argument of counsel, the Board finds that:

1. Madison Taliaferro, 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. He practices primarily in the area of Pine Bluff, Arkansas.

2. Prior to the proceedings beginning the Arkansas State Board of Dental Examiners withdrew the allegations of a violation of Ark. Stat. §72-560 (3), more especially, the commission of a criminal operation, and a violation of Ark. Stat. §72-560 (8), a violation of Article 12, Section (q) of the Rules and Regulations of the Arkansas State Board of Dental Examiners, more especially, the willful violation of any provision of law regulating the dispensing and administration of dangerous drugs or narcotics.

3. The Board finds that the charge of violating Ark. Stat. §72-560 (3), more especially, failure to maintain adequate safeguards for the health and safety of patients should be merged into the violation of Ark. Stat. §72-560 (3), more especially, professional incompetency in prescription writing.

4. The Board finds that Madison Taliaferro was professionally incompetent in prescription writing when he prescribed Schedule II narcotics for one Richard Davidson.

5. The Board finds that Madison Taliaferro was professionally incompetent in prescription writing when he prescribed Schedule II narcotics for one Mary Morton.

WHEREFORE, IT IS, CONSIDERED, ORDERED AND ADJUDGED that Madison Taliaferro, D. D. S., has violated Ark. Stat. §72-560

(3), more especially, that he is professionally incompetent in prescription writing of Schedule II narcotics. As a result of said violation, the Board orders that:

1. The license of Madison Taliaferro to practice dentistry in the State of Arkansas will be suspended for a period of one month, beginning the 15th of March, 1988.

2. At the end of said one month suspension, Madison Taliaferro will be placed on a one year probationary period.

3. Madison Taliaferro will surrender his DEA license immediately for a period of six (6) months and he will not prescribe any narcotics during said period of time.

4. At the end of said six month period and while he is on probation for his one year period, he will send to the Board on a monthly basis copies of all prescriptions for narcotics.

5. During said one year probationary period Madison Taliaferro will not use any injectionable narcotics within his office.

6. No communication or advertisement by Madison Taliaferro with his patients concerning this suspension or probation will be false or misleading.

7. Madison Taliaferro will be assessed a fine of \$1000.00 to be paid at the end of his one month's suspension.

IT IS SO ORDERED.

ARKANSAS STATE BOARD OF DENTAL EXAMINERS

By: *Shelby Woodiel*
SHELBY WOODIEL, President

BEFORE THE ARKANSAS STATE BOARD OF DENTAL EXAMINERS

IN THE MATTER OF:

MADISON M. TALIAFERRO, D. D. S.

ORDER

On the 25th of September, 1992, comes on for hearing the matter of Madison M. Taliaferro, D. D. S. The Arkansas State Board of Dental Examiners appeared together with a quorum of its membership together with its attorney, William H. Trice, III. Madison M. Taliaferro, D. D. S. appeared together with his attorney, David Stubbs. From the pleadings, testimony of the witnesses and evidence introduced, the Board finds that:

1. Madison M. Taliaferro, 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 allegations referred to in the original Order and Notice of Hearing introduced into evidence as Exhibit 1.

2. Madison M. Taliaferro, D. D. S. admitted before the Board that he had received the Order and Notice of Hearing in a timely fashion.

3. Madison M. Taliaferro, D. D. S. admitted that while practicing under a license issued by the Arkansas State Board of Dental Examiners he wrote 54 prescriptions for controlled substances from 1 December, 1990 to 1 July, 1991 for one individual, L. T. Said prescriptions were not prescribed for nor involved in the practice of dentistry as admitted further by Madison M. Taliaferro.

4. Madison M. Taliaferro, D. D. S. admitted while practicing under a license issued by the Arkansas State Board of Dental Examiners that he wrote three (3) oral contraceptive prescriptions for one L. T. Said oral contraceptive prescriptions were not prescribed for nor involved in the practice of dentistry.

5. Madison M. Taliaferro, D. D. S. admitted that the 54 controlled substance anorexic prescriptions from 1 December, 1990 to July, 1991 given to patient, one L. T., was an over prescribing of the controlled medication and that it was potentially harmful and an addictive substance for that individual.

6. Madison M. Taliaferro, D. D. S. admitted that he was found in violation of the Dental Practice Act on a previous occasion, more especially, 15 January, 1988, and that he was professionally incompetent in overprescribing Schedule II narcotic substances for a patient; all for which his license was sanctioned with a suspension for one month and placed on probation for one year.

7. Madison M. Taliaferro, D. D. S. appeared before the Board on 10 July, 1992 in this matter and testified to the Board under oath that he had not written the prescriptions introduced into evidence as the Board's Exhibit 2.

8. Madison M. Taliaferro, D. D. S. appeared before the Board on 25 September, 1992 and testified under oath that in fact he had written said prescriptions.

9. Madison M. Taliaferro, D. D. S. violated Arkansas Code Annotated 17-82-316(c) professional incompetency; that is the overprescribing of controlled substances for an individual.

10. The Board finds that Madison Taliaferro, D. D. S. violated the Dental Practice Act, more especially, §17-82-316(f). That is violating a rule or regulation of the Board, more especially, Regulation Article 10(m), the willful violation of any provisions of law regulating the dispensing of dangerous drugs in that he prescribed drugs not involved in the practice of dentistry.

WHEREFORE, IT IS, CONSIDERED, ORDERED AND ADJUDGED THAT:

1. Madison M. Taliaferro, D. D. S. violated the Dental Practice Act, more especially, Arkansas Code Annotated §17-82-316(f) that is the violation of Regulation Article 10(m), the willful violation of any provision of law regulating the dispensing of dangerous drugs in that he prescribed narcotic substances not involved in the practice of dentistry.

2. Madison M. Taliaferro, D. D. S. violated the Dental Practice Act that is §17-82-316(c) displaying professional incompetency in the overprescribing of controlled substances for an individual.

3. The license to practice dentistry in the State of Arkansas of Madison M. Taliaferro, D. D. S. that was suspended on an emergency basis pursuant to Arkansas Code Annotated §25-15-211(c) on 10 July, 1992 is reinstated.

4. As a result of the violation of the Dental Practice Act stated above, the license to practice dentistry in the State of

Arkansas of Madison M. Taliaferro, D. D. S. is suspended for a period of 90 days during which time he will continue counseling and provide proof to the Arkansas State Board of Dental Examiners of the following:

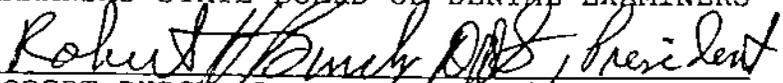
(1) A psychiatric evaluation showing a condition capable of practicing dentistry.

(2) A Successful passage of the clinical exam issued by the Tennessee Dental School in Memphis, Tennessee.

5. IT IS, FURTHER, ORDERED AND ADJUDGED BY THE BOARD THAT at the conclusion of the 90 days suspension and the receiving of the two requirements stated hereinabove that the license to practice dentistry in the State of Arkansas of Madison M. Taliaferro will be placed on probation for a period of three years during which time he will practice dentistry only under the direct supervision of a licensed dentist and further that he will enter into a contract of monitoring and counseling with the Caring Dentists Committee of the Arkansas State Dental Association and further that he will not violate any of the rules and regulations or statutes of the State of Arkansas involving the practice of dentistry.

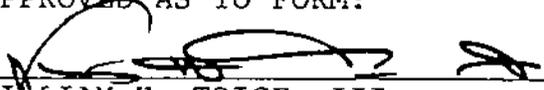
IT IS SO ORDERED.

ARKANSAS STATE BOARD OF DENTAL EXAMINERS


ROBERT BURCH, D. D. S., President

DATE: 14 Oct 92

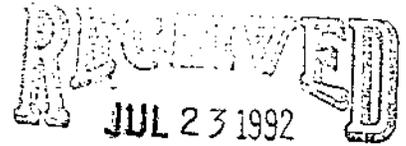
APPROVED AS TO FORM:


WILLIAM H. TRICE, III
ATTORNEY FOR ARKANSAS STATE BOARD OF
DENTAL EXAMINERS

BEFORE THE ARKANSAS STATE BOARD OF DENTAL EXAMINERS

IN THE MATTER OF:

MADISON M. TALIAFERRO, D.D.S.



ORDER

On this 10th day of July, 1992 comes on for hearing the matter of MADISON M. TALIAFERRO, D.D.S. The Arkansas State Board of Dental Examiners appeared together with a quorum of its membership together with its attorney, William H. Trice III. MADISON M. TALIAFERRO, D.D.S. appeared pro se.

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

1. MADISON M. TALIAFERRO, D.D.S. is a licensed dentist in the State of Arkansas under the provision of the Dental Practice Act and was so licensed at the time of the allegations contained in the Order and Notice of Hearing.

2. MADISON M. TALIAFERRO, D.D.S. admitted before the Board that he had received the Order and Notice of Hearing in a timely fashion.

3. MADISON M. TALIAFERRO, D.D.S. admitted that the prescriptions introduced in Board Exhibit "2" the originals were on his prescription pad.

4. MADISON M. TALIAFERRO, D.D.S. admitted before this hearing that the summary sheet introduced as Board Exhibit "3" accurately reflects the prescriptions written to include the number of the prescription, the date the prescription was written, the

substance that was written, the strength of the substance, the number of pills, the patient and the place where the prescription was filled.

5. MADISON M. TALIAFERRO, D.D.S. admitted that he had been disciplined by this Board on a previous occasion for writing excessive amounts of narcotics and further admitted the Order of the Board that was introduced as Board Exhibit "4", which was the Order as a result of his previous disciplinary hearing on 15 January, 1988.

6. MADISON M. TALIAFERRO, D.D.S. and his wife both testified before the Board, each stating that MADISON M. TALIAFERRO, D.D.S. did not write the prescriptions introduced in Board Exhibit "2", but rather that Mrs. Taliaferro the one listed as the "patient" took the prescription pads without the knowledge of MADISON M. TALIAFERRO, D.D.S., wrote the prescriptions and filled the prescriptions at the various pharmacies.

7. It was necessary for a final determination in this matter to have a handwriting sample taken of MADISON M. TALIAFERRO, D.D.S. and his wife and to have the same compared with the prescriptions and other documents known to be signed by MADISON M. TALIAFERRO, D.D.S.

8. It is in the best interest of the Board, the public and MADISON M. TALIAFERRO, D.D.S. to adjourn this hearing while said handwriting analysis can be obtained. MADISON M. TALIAFERRO, D.D.S. agrees to said continuance and agrees that he and his wife will submit will submit handwriting samples should they be needed.

WHEREFORE, IT IS CONSIDERED ORDERED AND ADJUDGED that:

1. Pursuant to the Administrative Procedure Act, Arkansas Code Annotated §25-15-211(c) and upon affirmative vote of the majority of the Arkansas State Board of Dental Examiners the Board finds that the public health, safety and welfare imperatively requires emergency action by the Board and that the license to practice dentistry in the State of Arkansas heretofore issued to MADISON M. TALIAFERRO, D.D.S. should be, and hereby is, suspended on an emergency basis until the next hearing of the Board when testimony may be obtained from a handwriting expert.

2. MADISON M. TALIAFERRO, D.D.S. agrees that he and his wife will submit handwriting samples to personnel of the Arkansas State Board of Dental Examiners or of the State Crime Lab or other experts retained by the Arkansas State Board of Dental Examiners for purposes of verifying the handwriting on the prescriptions introduced into evidence as Board Exhibit "2".

IT IS SO ORDERED.

ARKANSAS STATE BOARD OF DENTAL EXAMINERS

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

DATE: _____

APPROVED AS TO FORM:

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

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