

BEFORE THE ARKANSAS STATE BOARD OF DENTAL EXAMINERS

IN THE MATTER OF:

KEITH W. SMITH, D. D. S.

ORDER

On the 16th of January, 1987, comes on for hearing the matter of Keith W. Smith. The Board was present with a quorum and represented by its attorney, William H. Trice, III, and Keith W. Smith, D. D. S., was present with his attorney, Rita S. Looney. From the pleadings and argument of counsel, the Board finds that:

1. Keith W. Smith was served in timely fashion with the Order and Notice of Hearing, charging him with violation of the Arkansas Dental Practice Act, Arkansas Statute §72-560 (3), the commission of a criminal operation or the conviction of a felony; also, charging him with violation of the Dental Practice Act, Arkansas Statute §72-560 (8), a violation of a rule or regulation of the Board, more especially, Article 12 (g), that is, the willful violation of any provisions of law regulating the dispensing and administration of dangerous drugs or narcotics.

2. Keith W. Smith admitted at this disciplinary hearing that on the 19th of June, 1985, in the County of Grayson, Commonwealth of Virginia, he obtained a Schedule III controlled substance (Vicodin) by fraud, deceit or misrepresentation by furnishing a false and fraudulent information on a prescription to Revco Pharmacy.

3. Keith W. Smith admitted before this Board this day that on the 10th of July, 1985, in the County of Grayson, Commonwealth of Virginia, that he obtained a Schedule III controlled substance (Vicodin) by fraud, deceit or misrepresentation by furnishing false and fraudulent information in a prescription.

4. Keith W. Smith admitted before this Board this day that on the 28th of June, 1985, in the County of Grayson, Commonwealth of Virginia, that he obtained a Schedule II controlled substance (Oxycodone) by fraud, deceit or misrepresentation by furnishing false and fraudulent information in a prescription.

5. Keith W. Smith admitted before this Board this day that on the 3rd of June, 1985, in the County of Grayson, Commonwealth of Virginia, that he obtained a Schedule II controlled substance (Oxycodone) by fraud, deceit or misrepresentation by furnishing false and fraudulent information in a prescription.

6. Keith W. Smith admitted before this Board this day that on the 7th of June, 1985, in the County of Grayson, Commonwealth of Virginia, that he obtained a Schedule II controlled substance (Oxycodone) by fraud, deceit or misrepresentation by furnishing false and fraudulent information in a prescription.

7. Keith W. Smith admitted before this Board this day that on the 24th of June, 1985, in the County of Grayson, Commonwealth of Virginia, that he obtained a Schedule II controlled substance (Oxycodone) by fraud, deceit or misrepresentation by furnishing false and fraudulent information in a prescription.

8. Keith W. Smith admitted before this Board this day that on the 25th of June, 1985, in the County of Grayson, Commonwealth of Virginia, that he obtained a Schedule II controlled substance (Oxycodone) by fraud, deceit or misrepresentation by furnishing false and fraudulent information in a prescription.

9. Keith W. Smith admitted before this Board that he pled guilty to felony charges involving each of the above incidents in the State of Virginia, thus having pled guilty to seven felony counts.

10. Keith W. Smith admitted before this Board that he had a drug abuse problem for which he had sought treatment in the past.

WHEREFORE, IT IS, CONSIDERED, ORDERED AND ADJUDGED that Keith W. Smith, D. D. S., be found guilty of violating the Arkansas Dental Practice Act, more especially, Arkansas Statute §72-560 (3), the commission of a criminal operation or conviction of a felony and violation of Arkansas Statute §72-568, a violation of a Rule or Regulation of the Board, more especially, Article 12 (q), meaning a willful violation of any provision of law regulating the dispensing and administration of dangerous drugs or narcotics.

IT IS, FURTHER, CONSIDERED, ORDERED AND ADJUDGED that Keith

W. Smith, D. D. S., will be placed on probation for a period of 18 months and adhere to the following rules during said 18 month period:

1. That Keith W. Smith will submit to urinalysis and blood tests for drug substances once each month and other times as the Board may require and that he furnish the results of those tests to the Board and to his probation officer in the criminal proceedings referred to hereinabove. That the first test be taken as soon as practical after the receipt of this order.

2. That during the period of probation, Keith W. Smith will not hold nor apply for a DEA Drug Dispensing License.

3. That Keith W. Smith will attend all regular meetings of the Arkansas State Board of Dental Examiners.

4. That Keith W. Smith will inform his employers, partners and associates with whom he is working of the nature of this proceeding by providing them a copy of this order.

5. That Keith W. Smith provide the Board immediately with the name and address of any change of employer or change of residence.

6. That Keith W. Smith provide the Board immediately those states with which he might hold any type of dental license.

7. That Keith W. Smith attend at least one time per week any alcoholic anonymous, caduceus club, or a professional advocacy program dealing with drug abuse and its prevention and provide a report of those meetings when he appears before the Board.

8. That Keith W. Smith appear before this Board at the end of eighteen (18) months to request the reinstatement in full of his license to practice dentistry.

9. A violation of these rules of probation or a further violation of the Dental Practice Act by Keith W. Smith will be cause for suspension or revocation of the license to practice dentistry.

IT IS SO ORDERED.

ARKANSAS STATE BOARD OF DENTAL EXAMINERS

By: _____
SHELBY WOODIEL
Secretary