

BEFORE THE ARKANSAS STATE BOARD OF DENTAL EXAMINERS

IN THE MATTER OF: MARK WOODSON MOSLEY, D.D.S.

ORDER

On this 16th day of February, 1996 comes on for hearing the matter of Mark Woodson Mosley, 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; and Mark Woodson Mosley, D.D.S. appeared *pro se*. From the pleadings, testimony of Mark Woodson Mosley, D.D.S and evidence, the Board finds that:

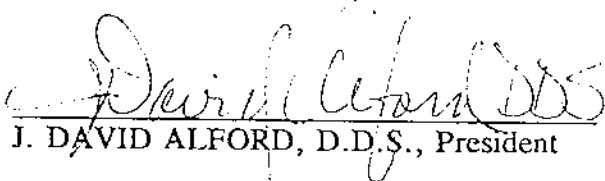
1. Mark Woodson Mosley, D.D.S. is a licensed dentist in the State of Arkansas under the provisions of the Dental Practice Act.
2. By a previous Order of the Board, the license to practice dentistry of Mark Woodson Mosley, D.D.S. was suspended on an emergency basis pending a disciplinary hearing on the 12th of April, 1996 at 10:00 a.m.
3. Mark Woodson Mosley, D.D.S. has admitted that he has obtained Schedule III drugs, that is, Lorcet or hydrocodone, from pharmacists by writing prescriptions in a fictitious patient's name and presenting himself as the fictitious patient to various pharmacies, obtaining hydrocodone for his own use and for non-dental reasons.
4. Mark Woodson Mosley, D.D.S. has acknowledged and admitted that he is addicted to the narcotic, hydrocodone.
5. Mark Woodson Mosley, D.D.S. requests that he be permitted to have his license restored pending the disciplinary hearing, but states that he will not utilize his DEA permit, that is, he will not prescribe scheduled drugs nor will he work in any facility which has scheduled

drugs in the facility.

WHEREFORE, IT IS CONSIDERED ORDERED AND ADJUDGED THAT:


1. The suspension of the license to practice dentistry of Mark Woodson Mosley, D.D.S. is lifted.
2. Mark Woodson Mosley, D.D.S. may have the use and benefit of his license pending the disciplinary hearing on the 12th of April, 1996, under the following conditions:
 - a. That he not utilize his DEA permit, that is, he will not prescribe scheduled drugs or medications.
 - b. He will not work in any facility which has scheduled drugs within the facility to which he would have access.

IT IS SO ORDERED.


J. DAVID ALFORD, D.D.S., President

DATE: February 23, 1996

APPROVED AS TO FORM:


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

f:\pgh\asdb\mosley\order.fin

BEFORE THE ARKANSAS STATE BOARD OF DENTAL EXAMINERS

IN THE MATTER OF: MARK WOODSON MOSLEY, D.D.S.

ORDER

On this 12th day of April, 1996 comes on for hearing the matter of Mark Woodson Mosley, 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; and Mark Woodson Mosley, D.D.S. appeared *pro se*. From the pleadings, testimony of Mark Woodson Mosley, D.D.S and other witnesses, evidence introduced, the Board finds that:

1. Mark Woodson Mosley, D.D.S. is a licensed dentist in the State of Arkansas under the provisions of the Dental Practice Act.

2. Mark Woodson Mosley, D.D.S. has admitted in testimony this day, as he did in front of the Board on 16 February, 1996, that he has obtained Schedule III controlled substances, that is, Lorcet or hydrocodone, from pharmacists, by writing prescriptions in a fictitious patient's name and presenting himself as the fictitious patient to various pharmacies, thus, obtaining hydrocodone for his own use and for non-dental reasons.

3. Mark Woodson Mosley, D.D.S. has admitted in testimony before the Board this day, as he did on the 16th of February, 1996, that he suffered from an addiction problem to the controlled substances, hydrocodone.

WHEREFORE, IT IS CONSIDERED ORDERED AND ADJUDGED THAT:

1. Mark Woodson Mosley, D.D.S. has violated the Dental Practice Act, more specifically, Ark. Code Ann. § 17-82-316(b)(3)(c), that he has exhibited an addiction to narcotics

or schedule drugs.

2. As a result of the above violation, the following sanctions are imposed:
 - a. Mark Woodson Mosley, D.D.S. will be placed on probation with the Arkansas State Board of Dental Examiners for a period of eighteen (18) months under the following conditions:
 - i. He will enter into a contract with the Caring Dentist Committee during the entire eighteen (18) months pursuant to the same terms of monitoring as his present contract, except as stated in this Order. A copy of said Contract is attached to this Order as Exhibit "A".
 - ii. Mark Woodson Mosley, D.D.S. will submit to one (1) random urinalysis drug screen per week, which will be a test for ten panel drug screen, plus hydrocodone plus meperidine.
 - iii. There will be no controlled substances on the premises where Mark Woodson Mosley, D.D.S. works.
 - iv. Mark Woodson Mosley, D.D.S. will report to the Board on a regular basis, as well as have his monitors of the Caring Dentist Committee report to the Board as to his compliance or non-compliance with the Contract and drug testing results.
 - b. Mark Woodson Mosley, D.D.S. will pay a monetary fine of \$500 within thirty (30) days from the date of this Order.

3. Mark Woodson Mosley, D.D.S. has violated the Dental Practice Act, more specifically, Ark. Code Ann. § 17-8-316(b)(3)(f), that is a violation of the Rule or Regulation

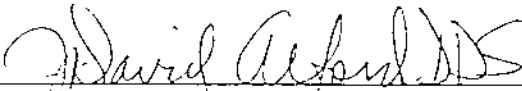
of the Board, more specifically, Article X(M), that is he willfully violated the laws regulating the dispensing and administration of dangerous drugs.

4. As a result of the above violation, the following sanctions are imposed:
 - a. Mark Woodson Mosley, D.D.S. will be placed on probation with the Arkansas State Board of Dental Examiners for a period of eighteen (18) months under the following conditions:
 - i. He will enter into a contract with the Impaired Dentist Committee during the entire eighteen (18) months pursuant to the same terms of monitoring as his present contract, except as stated in this Order. A copy of said Contract is attached to this Order as Exhibit "A".
 - ii. Mark Woodson Mosley, D.D.S. will submit to one (1) random urinalysis drug screen per week, which will be a test for ten panel drug screen, plus hydrocodone plus meperidine.
 - iii. There will be no controlled substances on the premises where Mark Woodson Mosley, D.D.S. works.
 - iv. Mark Woodson Mosley, D.D.S. will report to the Board on a regular basis, as well as have his monitors of the Caring Dentist Committee report to the Board as to his compliance or non-compliance with the Contract and drug testing results.
 - b. Mark Woodson Mosley, D.D.S. will pay a monetary fine of \$500 within thirty (30) days from the date of this Order.
5. The periods of probation referred to in Paragraphs 2(a) and 4(a) above will run

consecutively for a total of thirty six (36) months.

6. The monetary fine imposed on Mark Woodson Mosley, D.D.S. referred to in Paragraphs 2(b) and 4(b) above will be consecutive for a total fine due the Board within thirty (30) days from the date of this Order of \$1,000.

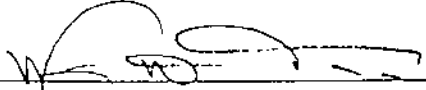
IT IS SO ORDERED.



J. DAVID ALFORD, D. D. S., President

DATE: April 30, 1996

APPROVED AS TO FORM:



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

f:\pghlas\subel\mosley\order1.fin