BEFORE THE ARKANSAS STATE BOARD OF DENTAL EXAMINERS

IN THE MATTER OF: NANCY ELIZABETH MALCOLM, DDS

CONSENT ORDER

On this day comes for hearing the matter of Nancy Elizabeth Malcolm, DDS. The Arkansas State Board of Dental Examiners appeared together by a quorum of its membership, together with its attorney, Kevin M. O’Dwyer. Nancy Elizabeth Malcolm, DDS, appeared pro se. From the pleadings and agreement of the parties, the Board finds that:

I.

Nancy Elizabeth Malcolm, DDS, is licensed to practice dentistry in the State of Arkansas pursuant to the provisions of the Dental Practice Act.

II.

Nancy Elizabeth Malcolm, DDS, entered into a Consent Order with the Board on February 16, 2016, agreeing in pertinent part to obtain an evaluation from the Arkansas Medical Foundation.

III.

Nancy Elizabeth Malcolm, DDS, received treatment from Bradford Health Services and Sober Living which issued the final recommendations following that treatment:

1. Attend a minimum of 3 twelve step meetings per week and actively work the twelve steps with her sponsor.
2. Attend Continuing Care for a minimum of two years at Bradford’s German town, Tennessee location.
3. Engage in individual therapy with Hope Gilchrist, EdD. She will call Ms. Gilchrist upon discharge to schedule her initial appointment.
4. Follow-up with her primary care physician, Dr. Scott Hoke. Appointment scheduled December 21, 2016.
5. Schedule follow up with her pulmonologist Dr. Jeff Cohen with one month post discharge.
6. Schedule follow-up appointment with infectious disease specialist Dr. Carl Abraham one month post discharge.
7. Continue submitting random urine drug screens through Bradford’s system until she has signed her monitoring contract with the Arkansas PHC and has begun drug
screening through their system.

8. We will advocate for her to return to dental practice three months post discharge and with advocacy from the Arkansas PHC. It is the recommendation of the treatment team that Dr. Malcolm not work in solo practice and that nitrous oxide should not be kept in the practice where she works.

IV.

Pursuant to A.C.A. § 25-15-208 (b) of the Administrative Procedure Act, Nancy Elizabeth Malcolm, D.D.S., makes the following offer to the Board:

A. Nancy Elizabeth Malcolm, DDS, will sign a five year contract for Monitoring and Rehabilitation with the Arkansas Medical Foundation and abide by the terms of that contract as though it were the Board’s own Order.

B. The practice setting of Nancy Elizabeth Malcolm, DDS, will be subject to the approval of the Arkansas Medical Foundation.

C. Nancy Elizabeth Malcolm, DDS, will not work in solo practice.

D. Nancy Elizabeth Malcolm, DDS, will not have nitrous oxide present in the practice where she works.

E. Nancy Elizabeth Malcolm, DDS, will follow the recommendations of the treatment centers as outlined in Paragraph III of this Consent Order.

F. Nancy Elizabeth Malcolm, DDS, will attend such meetings of the Arkansas State Board of Dental Examiners as requested by the Board.

V.

The Arkansas State Board of Dental Examiners pursuant to ACA§25-15-208(b) of the Administrative Procedure Act accepts the offer of Nancy Elizabeth Malcolm, DDS, described in Paragraph IV above finding that it protects the health and safety of the citizens of Arkansas and the rights of Nancy Elizabeth Malcolm, DDS.
WHEREFORE, it is CONSIDERED, ORDERED, and ADJUDGED, that the suspension of the license of Nancy Elizabeth Malcolm, DDS, is lifted, that the agreement of the parties stated in paragraph IV above is fair and equitable, and protects the health and safety of the citizens of Arkansas and the rights of Nancy Elizabeth Malcolm, DDS. The Board adopts said agreement as the Board’s own Order.

IT IS SO ORDERED.

ARKANSAS STATE BOARD OF DENTAL EXAMINERS

ROBERT CARTER, D.D.S., PRESIDENT

2/23/2017

Approved as to Form:

Kevin M. O’Dwyer,
Attorney for the Arkansas State Board of Dental Examiners

Nancy Elizabeth Malcolm, DDS