

BEFORE THE WEST VIRGINIA BOARD OF DENTISTRY

**WEST VIRGINIA BOARD OF
DENTISTRY,**

COMPLAINANT,

v.

CASE NO. 2024-DB-0007D

**COREY ANDERSON, DDS,
LICENSE NO. 3954,**

RESPONDENT.

CONSENT AGREEMENT AND ORDER

NOW COME the West Virginia Board of Dentistry ("Board") and Corey Anderson, DDS ("Respondent") for the purpose of agreeing to disciplinary action which shall be taken against Respondent in the above-referenced matter. As a means of compromise, the Board and Respondent hereby agree to resolve this matter by and through a voluntary agreement and consent to disciplinary action, with consideration given to appropriate safeguards for protection of the public.

WHEREAS, Respondent acknowledges that the Board may file a Statement of Charges alleging that he has violated certain provisions of W. Va. Code §§ 30-4-1 *et seq.* and W. Va. Code R. §§ 5-1-1 *et seq.*, and proceed to a hearing and seek disciplinary action in this matter.

WHEREAS, Respondent hereby waives the filing of a formal Statement of Charges and the parties mutually desire to settle this matter without further prosecution and a formal hearing.

WHEREAS, the Board agrees and acknowledges that this agreement is a compromise of claims disputed by Respondent.

THEREFORE, it is hereby STIPULATED and AGREED between the undersigned parties that this matter be settled and resolved, the parties having reached an understanding concerning the proper disposition of the matter in controversy, and the Board, approving such an agreement, does hereby FIND and ORDER as follows:

FINDINGS OF FACT

1. Respondent is a licensee of the Board, holding License No. 3954, and at all times relevant, practiced dentistry in Bridgeport, West Virginia.

2. On January 31, 2024, the Board received an email notification from the National Practitioner Data Bank of an electronic report notice. This report concerned a malpractice settlement with the Respondent in the amount of one million dollars. The description of the allegations read as follows: "Alleged insured failed to diagnose squamous cell carcinoma of the upper palette."

3. On January 31, 2024, the Board sent a subpoena to the Respondent requesting the records relating to the malpractice settlement.

4. On February 12, 2024, the Board received an email from the Respondent's counsel requesting an extension of one week to provide the required information for the subpoena, which was granted.

5. On February 15, 2024, the Board received an email from the Respondent's counsel containing a cover letter and a ShareFile link to the documents requested via subpoena.

6. After a review of the patient's records from the Respondent, a Complaint Committee of the Board recommended to the Board at its April 6, 2024 meeting, that a complaint be opened.

7. On April 10, 2024, the Board sent Respondent correspondence in which it notified Respondent that the Board had opened a complaint against Respondent regarding Respondent's care of the patient in this matter. The Board requested that Respondent file a written response to the complaint within thirty days.

8. On April 10, 2024, the Board sent a subpoena for the patient's medical records to Dr. Bryan D. Weaver at the West Virginia University School of Dentistry's Oral Surgery Department where the patient sought treatment.

9. On April 22, 2024, the Board received a copy of the patient's medical records from Dr. Weaver.

10. On May 13, 2024, counsel for the Respondent requested an extension to respond to the thirty day complaint letter, which was granted until May 28, 2024.

11. On May 28, 2024, the Board received a written response from Respondent, through his attorney, wherein it stated "Further inquiry into Dr. Anderson's treatment of MG is unwarranted as the matter has already been fully mediated in an underlying civil suit, in which a confidential settlement was reached and no fault, nor liability was apportioned to and/or admitted by Dr. Anderson. A formal investigation by the Board of Dentistry of the care provided by Dr. Anderson to Ms. G. would be duplicative and unnecessary at this time."

12. Upon recommendation of the Complaint Committee, the Board, by majority vote at its meeting on July 19, 2024, found probable cause to warrant the filing of a Complaint. Accordingly, the Board determined that there was sufficient evidence that further proceedings and further action should be taken against Respondent.

CONCLUSIONS OF LAW

1. Respondent is a licensee of the Board, holding License No. 3954, and is therefore subject to the license requirements and disciplinary rules of the Board.

2. The Board is a state entity created and governed by W. Va. Code §§ 30-4-1 *et seq.* and is empowered to regulate the practice of dentistry in the State of West Virginia.

3. In order to carry out its regulatory duties, the Board may suspend, revoke, or otherwise discipline an individual's license to practice dentistry under the authority granted to it by W. Va. Code §§ 30-4-5 and 30-4-19 and W. Va. Code R. §§ 5-1-4, 5-4-1 *et seq.*, and 5-5-1 *et seq.*

4. The Board acknowledges that Respondent's agreement to enter into this Consent Agreement is not an admission of guilt or liability and Respondent acknowledges the Findings of Fact set forth above, admits that there is probably cause to conclude that the violations set forth above, in the Conclusions of Law, may have occurred, and consents to the following Order.

5. While disputed by Respondent, the Board finds that the conduct described in the above *Findings of Fact* would, if proven, constitute violations of W. Va. Code § 30-4-19, W. Va. Code R. § 5-5-4, and the *American Dental Association Principles of Ethics & Code of Professional Conduct*. Such conduct is therefore grounds for disciplinary action.

CONSENT OF LICENSEE

I, Corey Anderson, DDS, by signing this *Consent Agreement and Order*, acknowledge the following:

1. After having had the opportunity to consult with an attorney of my choice, I sign this Consent Agreement and Order voluntarily, freely, without compulsion or duress, and understand that my signature has legal consequences.

2. The entire agreement is contained in this Consent Agreement and Order, and no person or entity has made any promise or given any inducement whatsoever to encourage me to make this settlement other than as set forth in this document.

3. I am aware that I may pursue this matter through appropriate administrative and/or court proceedings. I am aware of my legal rights regarding this matter, but I have chosen to waive those rights intelligently, knowingly, and voluntarily.

4. I waive any defenses including, but not limited to, laches, statute of limitations, and estoppel, that I may have otherwise claimed as a condition of this agreement.

5. I acknowledge that the execution of this document constitutes disciplinary action by the Board and is therefore considered to be public information.

The Respondent, Corey Anderson, DDS, by affixing his signature hereto, agrees to the following Order:

ORDER

Based on the foregoing, and in lieu of further prosecution of this matter, the Board does hereby ORDER and DECREE as follows:

1. Respondent is hereby REPRIMANDED for his actions in this matter.
2. Within sixty (60) days from the date of entry of this Order, Respondent shall pay a fine in the amount of Five Thousand Dollars (\$5,000.00).
3. Within sixty (60) days from the date of entry of this Order, Respondent shall reimburse the Board the costs of this proceeding, including, but not limited to, the administrative and legal expenses incurred by the Board in the investigation and disposition of this case, not to exceed Five Hundred Dollars (\$500.00).

4. Within six (6) months from the date of entry of this Order, Respondent shall complete six (6) hours of continuing education on the subject of oral pathology and six (6) hours of continuing education on the subject of oral medicine and diagnosis and submit to the Board proof of successful completion. Such professional education shall not count towards the minimum number of hours required for licensure renewal.

5. Respondent shall, at all times, cooperate with the Board and any of its agents or employees.

6. Respondent shall comply with the West Virginia Dental Practice Act, W. Va. Code §§ 30-4-1 *et seq.*, and the rules and regulations promulgated thereunder.

7. This Consent Agreement and Order shall remain in effect until all of its terms have been completed and the obligations set forth herein have been fulfilled.

8. Any failure to comply with all provisions in this Consent Agreement and Order may result in additional disciplinary action, up to and including the suspension or revocation of Respondent's license to practice dentistry in the State of West Virginia.

9. This document is a public record available for inspection by the public in accordance with the provisions of the West Virginia Freedom of Information Act, W. Va. Code §§ 29B-1-1 *et seq.*, and may be reported to other governmental agencies, professional boards, or other organizations.

10. This Consent Agreement and Order constitutes the entire agreement between the parties.

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In recognition of this *Consent Agreement and Order*, we hereby affix our signatures.

WEST VIRGINIA BOARD OF DENTISTRY

By: William A. Klenk DDS
William A. Klenk, DDS, President

Entered: 10/18/24
Date

REVIEWED AND AGREED TO BY:

Corey Anderson
Corey Anderson, DDS
Respondent

10-17-24
Date

This day personally appeared before me, Corey Anderson, DDS, whose name is signed to the foregoing document and who is known to me, having acknowledged before me that the statements in the foregoing document are complete, true and correct, to the best of his knowledge, information, and belief, and executed the document voluntarily on the date shown above.

Given under my hand and seal on this the 17th day of October, 2024.

My Commission expires: 1-28-29

Jamie Kimble
Notary Public

