

**BEFORE THE MISSISSIPPI STATE
BOARD OF DENTAL EXAMINERS**

**IN THE MATTER OF MISSISSIPPI:
DENTAL LICENSE NO. 3204-01**

**REUBEN ROY LITTLE II, D.D.S.
689 WILDWOOD DRIVE
MERIDIAN, MS 39301**

RESPONDENT

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**DOCKET NOS. 2021-070
2022-093**

CONSENT ORDER

WHEREAS, RESPONDENT, REUBEN ROY LITTLE II, D.D.S., has been vested with the right and privilege to practice dentistry in the State of Mississippi by virtue of License No. **3204-01**, issued by the Mississippi State Board of Dental Examiners (hereinafter referred to as “Board”).

WHEREAS, RESPONDENT, REUBEN ROY LITTLE II, D.D.S., has agreed to enter into a **CONSENT ORDER** which would, upon approval and execution by the Board, avoid initiation of formal disciplinary proceedings.

FINDINGS OF FACT AND CONCLUSIONS OF LAW

1. **RESPONDENT** agrees that sufficient evidence exists to constitute a violation of: Miss. Code Ann. § 73-9-61 (1)(b), in that **RESPONDENT** willfully violated any of the rules or regulations duly promulgated by the Board, or of any of the rules or regulations duly promulgated by the appropriate dental licensure agency of another state or jurisdiction; namely, that **RESPONDENT** violated 30 Miss. Admin. Code Pt. 2301, R. 1.53, Board Regulation 53 – Patient Records. Pursuant to Board Regulation 53, “Licensed dentists shall be required to maintain for a minimum of seven (7) years from the date of last treatment, a copy, or retrievable copy, of patient records including, at a minimum, the date(s) of treatment; health history; any and all medications prescribed,

dispensed, and/or administered; any and all radiographs administered; and/or other laboratory results. The inability and/or failure to produce such records when so requested by the Mississippi State Board of Dental Examiners shall be considered a violation of this Regulation, and the licensee may be subject to formal disciplinary action by the Board.”

2. **RESPONDENT** agrees that sufficient evidence exists to constitute a violation of: Miss. Code Ann. § 73-9-61 (1)(b), in that **RESPONDENT** willfully violated any of the rules or regulations duly promulgated by the Board, or of any of the rules or regulations duly promulgated by the appropriate dental licensure agency of another state or jurisdiction; namely, that **RESPONDENT** violated 30 Miss. Admin. Code Pt. 2301, R. 1.35, Board Regulation 35 – Maintenance of Controlled substances, Records, and Inventory. Pursuant to Board Regulation 35 (5)(B), “Prior to prescribing, administering, or dispensing greater than a one (1) day supply of Schedule II medications, every dentist licensed by the Mississippi State Board of Dental Examiners shall be required to query the Mississippi Prescription Monitoring Program, as heretofore defined, to determine the patient’s current prescription status.” Pursuant to Board Regulation 35 (5)(C), “The patient’s treatment record shall include a reference that the dentists conducted a query of the Mississippi Prescription Monitoring Program prior to prescribing, administering, or dispensing greater than a one (1) day supply of any Schedule II medications.”

3. **RESPONDENT** prescribed Patient D Gabapentin – 600 mg, quantity – 90 (30-day supply), on or about June 25th, 2021. In his statement to the Board dated September 03rd, 2021, **RESPONDENT** stated he saw Patient D, a family relative, for an impromptu visit. According to the statement, **RESPONDENT** addressed Patient D’s complaints regarding tenderness at the site of dental implants. Further, **RESPONDENT** stated he prescribed the medication to Patient D, as Patient D had lost the medication and needed a replacement prior to heading out of town. **RESPONDENT** failed to document and/or provide documentation of any patient records related to the dental care of Patient D on or around June 25th, 2021.

4. **RESPONDENT** prescribed Patient C Hydrocodone-Acetaminophen 5-325 mg, a schedule II controlled substance, quantity – 20 (4-day supply), on or about July 02nd, 2021. In his statement to the Board dated September 03rd, 2021, **RESPONDENT** stated he saw Patient C for an impromptu visit near closing. Patient C, the spouse of one of his employees, complained of “pain and swelling.” According to the statement, **RESPONDENT** prescribed an antibiotic and Norco 5/325 in an increased quantity to allow for coverage while Patient C was on vacation. **RESPONDENT** failed to document and/or provide documentation of any patient records related to the dental care of Patient C delivered on or around July 02nd, 2021. **RESPONDENT** failed to document and/or provide documentation of a query of the Mississippi Prescription Monitoring Program related to Patient C’s care on or around July 02nd, 2021. **RESPONDENT** admitted to the Board’s Investigator on or about February 17th, 2022, that he did not utilize the Mississippi Prescription Monitoring Program.

5. **RESPONDENT** prescribed Patient T Hydrocodone-Acetaminophen 5-325 mg, a schedule II controlled substance, quantity – 20 (4-day supply), on or about April 21st, 2021, and on or about May 02nd, 2021. **RESPONDENT** prescribed Patient T Butalbital-Acetaminophen-Caffeine 50-325-40 mg, quantity – 20 (4-day supply), on or about January 19th, 2022. **RESPONDENT** failed to document and/or provide documentation of any patient records related to the dental care of Patient T delivered on the dates listed. **RESPONDENT** failed to document and/or provide documentation of a query of the Mississippi Prescription Monitoring Program related to Patient T’s care on or around April 21st, 2021, or May 02nd, 2021. **RESPONDENT** admitted to the Board’s Investigator on or about February 17th, 2022, that he did not utilize the Mississippi Prescription Monitoring Program.

6. **RESPONDENT** prescribed Patient J Tramadol-Acetaminophen 37.5-325 mg, quantity – 30 (5-day supply), Acetaminophen-Codeine #3, quantity – 16 (2-day supply), and Alprazolam 0.5 mg, quantity – 30 (10-day supply) on or about October 28th, 2021. **RESPONDENT** failed to document and/or provide documentation of any patient records related to the dental care of Patient J delivered on or around October 28th, 2021.

7. **RESPONDENT** prescribed Patient A Hydrocodone-Acetaminophen 10-325 mg, a schedule II controlled substance, quantity – 30 (15-day supply), on or about August 05th, 2021. **RESPONDENT** failed to document and/or provide documentation of a query of the Mississippi Prescription Monitoring Program related to Patient A’s care on or around August 05th, 2021. **RESPONDENT** admitted to the Board’s Investigator on or about February 17th, 2022, that he did not utilize the Mississippi Prescription Monitoring Program.

IT IS, THEREFORE, STIPULATED AS FOLLOWS:

1. That this **CONSENT ORDER** is entered into freely, willingly and voluntarily by all the parties without threats or promises, and further, such **CONSENT ORDER** is entered into in lieu of having a full administrative hearing before the Mississippi State Board of Dental Examiners.
2. That **RESPONDENT** hereby voluntarily, willingly, and freely waives all **RESPONDENT’S** due process rights, including but not limited to, the right to a hearing whereby **RESPONDENT** could:
 - a. Appear either personally or by counsel or both,
 - b. Cross-examine any witnesses who may testify against **RESPONDENT**,
 - c. Present testimony, evidence, and witnesses on **RESPONDENT’S** behalf, and
 - d. Have subpoenas issued by the Board on **RESPONDENT’S** behalf.
3. The Mississippi State Board of Dental Examiners is established pursuant to Title 73, Chapter 9 of the Mississippi Code of 1972, as amended, and is charged with the duty of licensing and regulating the practice of dentistry and dental hygiene in the State of Mississippi. The **RESPONDENT** is the holder and/or applicant of a license issued by the Board and is, therefore, subject to Miss. Code Ann. § 73-9-1, et seq.

4. That it is understood and agreed that the purpose of this **CONSENT ORDER** is to avoid a formal disciplinary proceeding, including a full administrative hearing before the Board. As such, **RESPONDENT** authorizes the Board to review and examine any documentary evidence or information concerning **RESPONDENT** prior to or in conjunction with its consideration of the **CONSENT ORDER**.
5. That this **CONSENT ORDER** shall be subject to approval by the Board. If the Board fails to approve the **CONSENT ORDER**, it shall have no force or effect on the parties.
6. That should this **CONSENT ORDER** not be approved by the Board, it is agreed that the presentation and consideration of the **CONSENT ORDER**, including any documentary evidence and information related thereto, shall not unfairly or illegally prejudice the Board or any of its members from participation in hearings or other proceedings pertaining to these or other matters regarding **RESPONDENT**.
7. **PENALTIES.** That upon approval and execution of this **CONSENT ORDER** by the Board, **RESPONDENT** agrees to the following penalties which are authorized by Miss Code Ann. § 73-9-61 (West).
 - a. **FINE.** **RESPONDENT** shall pay a fine in the amount of **\$5,000.00**, which must be received in the Board's office within sixty (60) calendar days from the date the Board approves and executes this **CONSENT ORDER**.
 - b. **COSTS.** Pursuant to Miss. Code Ann. § 73-9-61 (4)(d), **RESPONDENT** shall pay the reasonable costs of these proceedings in an amount to be determined by the Board within sixty (60) calendar days from the date the Board sends the notice of costs.
 - c. **JURISPRUDENCE EXAM.** Within thirty (30) days from the date the Board approves and executes this **CONSENT ORDER**, **RESPONDENT** shall successfully complete the Mississippi Jurisprudence Examination.

- d. **REMEDIAL EDUCATION – PATIENT RECORDS.** Within ninety (90) days from the date the Board approves and executes this **CONSENT ORDER, RESPONDENT** shall successfully complete at least one (1) of the following:
- i. An American Association of Dental Boards (“AADB”) Remediate + Program designed in coordination with the Board that focuses on *Patient Records*.
 - ii. A minimum of twenty (20) hours of Board-approved continuing education specifically focused on *Patient Records*. Continuing education hours obtained in satisfaction of this requirement may not be utilized towards satisfaction of the continuation education requirements in Board Regulation 41 – Continuing Education (30 Miss. Admin. Code Pt. 2301, R. 1.41).
- e. **REMEDIAL EDUCATION – PRESCRIBING CONTROLLED SUBSTANCES.** Within ninety (90) days from the date the Board approves and executes this **CONSENT ORDER, RESPONDENT** shall successfully complete at least one (1) of the following:
- i. An American Association of Dental Boards (“AADB”) Remediate + Program designed in coordination with the Board that focuses on *Prescribing Controlled Substances*.
 - ii. A minimum of twenty (20) hours of Board-approved continuing education specifically focused on *Prescribing Controlled Substances*. Continuing education hours obtained in satisfaction of this requirement may not be utilized towards satisfaction of the continuation education requirements in Board Regulation 41 – Continuing Education (30 Miss. Admin. Code Pt. 2301, R. 1.41).
- f. **COMPLIANCE. RESPONDENT** shall comply with Miss. Code Ann. § 73-9-1 et seq., 30 Miss. Admin. Code Pt. 2301 et seq., and all laws and regulations

related to the practice of dentistry in Mississippi. Further, **RESPONDENT’S** practice shall be subject to periodic monitoring by the Board for a period of five (5) years. Any member of the Board, investigator, or dental consultant may perform a patient chart review of a representative sample of those treated by **RESPONDENT**.

- 8. That **RESPONDENT** accepts the above penalties and acknowledges that **RESPONDENT’S** license is conditioned on full compliance with these terms. Failure to adhere to any of the terms of this **CONSENT ORDER** may result in further disciplinary action against **RESPONDENT’S** license.
- 9. That the **RESPONDENT** does hereby fully, completely and finally release the Board, its agents, servants or employees from any and all claims, charges, demands, damages, costs, expenses, actions and causes of action of every kind and nature which the **RESPONDENT** may now or hereafter have related to this **CONSENT ORDER** between the **RESPONDENT** and the Board. The Mississippi State Board of Dental Examiners admits no liability in any way related to this **CONSENT ORDER**.
- 10. That upon approval and execution of this **CONSENT ORDER** by the Board, this document will be a public record and will be entered as a **FINAL ORDER** of the Board. Further, the **FINAL ORDER** will be reported as disciplinary action to the American Association of Dental Boards (AADB) and to all federally mandated data banks.

AGREED TO, this the 14 day of October, 2023.


Reuben Roy Little, II (Oct 14, 2023 10:10 CDT)

REUBEN ROY LITTLE II, D.D.S.

Approved as to Form & Substance:



W. Westley Mutziger
Board Counsel, MSBDE

SO APPROVED & ORDERED, this the 27th day of October, 2023.

MISSISSIPPI STATE BOARD OF DENTAL EXAMINERS

BY: 

ROBERT L. SMITH, JR., D.D.S.

PRESIDENT

Dr. Little II, Reuben Roy - PCO 2

Final Audit Report

2023-10-14

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