

BEFORE THE WEST VIRGINIA BOARD OF DENTAL EXAMINERS

**WEST VIRGINIA BOARD
OF DENTAL EXAMINERS,**

Complainant,

v.

Case No. 2009-DB-0048D

BRUCE W. FORBES, DDS,

Respondent.

CONSENT DECREE AND ORDER

Now comes the West Virginia Board of Dental Examiners (hereinafter referenced as the Board) and Bruce W. Forbes ,DDS, (hereinafter referenced as the Respondent), for the purpose of resolving all matters relating to the pending matter between the Board and the Respondent.

As reflected in this Consent Decree, the parties have reached an understanding concerning the proper disposition of the matter in controversy. The Board, approving such an agreement does hereby Find and Order as follows:

FINDINGS OF FACT

1. That the Board is the State entity created by West Virginia Code § 30-4-1 *et seq.* (Dental Practice Act) and is empowered to regulate the practice of dentistry.

2. That the Respondent is a licensee of the Board, possessing license number 1536 and is subject to the license requirements of the Board.

3. That Respondent and the Board desire to resolve all matters pending before the Board.

4. That Respondent desires to surrender his license to practice dentistry in the State of West Virginia. *See Attachment A.*

CONCLUSION OF LAW

1. That pursuant to W. Va. Code § 30-4-1 *et seq.*, the Board regulates the practice of dentistry and has jurisdiction over this matter.

2. Respondent is a licensee of the West Virginia Board of Dental Examiners and is subject to license requirements of the Board.

3. Based on correspondence from the Respondent indicating that he wishes to surrender his license to the Board, the Board should accept the surrender of the license and the Respondent shall no longer be permitted to practice or engage in the profession of dentistry in the State of West Virginia.

4. That effective immediately upon entry of this Consent Decree and Order, Respondents' license and all his privileges to practice or engage in the profession of dentistry the State of West Virginia are hereby NULL and VOID.

CONSENT OF LICENSEE

The Respondent by affixing his signature hereto, acknowledges the following:

1. Respondent has been given the opportunity to consult with counsel and executes this Consent Decree and Order voluntarily, freely, without compulsion or duress and is mindful that it has legal consequences.
2. No person or entity has made any promise or given any inducement whatsoever to encourage Respondent to enter into this Consent Decree and Order other than as set forth herein.
3. Respondent acknowledges that he is aware that he may pursue this matter through appropriate administrative and/or court proceedings, and is aware of his legal rights regarding this matter, but intelligently, knowingly and voluntarily waives such rights.
4. Respondent expressly acknowledge that the entire agreement is contained in this Consent Decree and Order and no representations, promises, or inducements have been made by or to Respondent other than as appear in this Consent Decree and Order.
5. Respondent acknowledges that this Consent Decree and Order is a public document, available for inspection at any time by any member of the public under Chapter 29B *et seq.*, of the West Virginia Code, Freedom of Information Act, and may be reported to other governmental agencies, professional Boards or other organizations.

6. Respondent waives any defense of laches, statute of limitations, estoppel and waiver that he may have otherwise claimed as a condition of this Consent Decree and Order.

7. Respondent acknowledges that this Consent Decree and Order presented to the Board as soon as practical but no later than the next scheduled meeting of the Board, with a recommendation for approval from the Complaint Committee.

8. Respondent consents to the entry of the following Order affecting his license in the State of West Virginia.

9. Respondent, by affixing his signature hereon, consents and agrees to the following terms and conditions.

ORDER

Accordingly, the West Virginia Board of Dental Examiners does hereby ACCEPT the surrender of the license of **Bruce W. Forbes, D.D.S.**, to practice or engage in the profession of dentistry in the State of West Virginia. Therefore, it is hereby Ordered as follows:

1. The Respondent's license to practice dentistry in the State of West Virginia is hereby NULL and VOID.

2. The Respondent shall not practice or engage in the profession of dentistry in the State of West Virginia.

3. Therefore, this matter is hereby **DISMISSED** and **STRICKEN** from the open docket of the Board.

4. Further, the Board shall send copies of this Order to:

Bruce W. Forbes, DDS
c/o Jane Forbes
449 Duerr Street
New Martinsville, West Virginia 26155

and

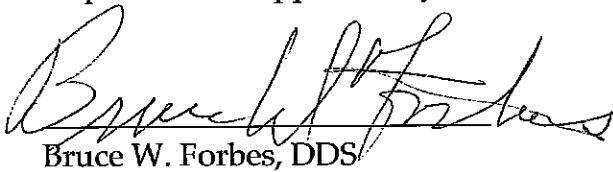
Darlene Ratliff-Thomas, Esquire
Office of the Attorney General
State Capitol, Room E-26
Charleston, West Virginia 25305

Entered this 19th day of March 2010.



H. Richard Marshall, DDS
West Virginia Board of Dental Examiners

Inspected and Approved by:

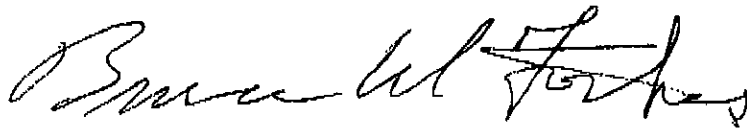


Bruce W. Forbes, DDS D.D.S.

Jane E. Forbes Power of Attorney
Jane E. Forbes, Power of Attorney
for Bruce W. Forbes, DDS

December 5, 2009


Upon consultation with my four daughters after recent medical evaluations of my health, I am willingly surrendering my dental license to the West Virginia State Board of Dental Examiners.

 D.D.S.

Bruce W. Forbes, D.D.S.

Witnessed By:


Nancy Taylor


Dianne Forbes


Sally Bickerton


Janet Chevallard

Attachment A