

AZ STATE BOARD
DENTAL EXAMINERSBEFORE THE ARIZONA STATE BOARD OF DENTAL EXAMINERS
2012 SEP 21 P 1:35

IN THE MATTER OF:

Erica N. Bigos, D.D.S.Holder of License No. D05851
For the Practice of Dentistry
In the State of Arizona.

Case No. 201200131

**CONSENT AGREEMENT
AND ORDER**

In order to resolve this case quickly and judiciously, the Arizona State Board of Dental Examiners ("Board") and Erica N. Bigos, D.D.S. enter into this Consent Agreement and Order ("Consent Agreement") in lieu of further administrative and judicial proceedings. It is consistent with the public interest and the requirements and statutory authority of the Board, specifically, A.R.S. §§ 32-1263.01, -1263.02, and 41-1092:07(F) (5). This Consent Agreement shall resolve all issues the Board has reviewed and investigated regarding the allegations in this matter.

Therefore, in lieu of further proceedings, Erica N. Bigos, D.D.S. admits and understands that:

1. Any record prepared in this matter, all investigative materials prepared and received by the Board concerning the allegations, and all related materials and exhibits may be retained in the Board's file pertaining to this matter.

2. Dr. Bigos waives any right to a hearing or re-hearing of this matter and any right to judicial review of the attached Findings of Fact, Conclusions of Law, and Order.

3. Dr. Bigos has the right to consult with an attorney prior to entering into this Consent Agreement.

4. The findings contained in the Findings of Fact portion of the Consent Agreement are conclusive evidence of the stated facts. The Board may consider this



1 Consent Agreement when and if future disciplinary proceedings arise only if the
2 disciplinary proceedings are within 5 years from the date of this order.

3 5. This Consent Agreement is subject to the Board's approval and will be
4 effective only when the Board accepts it and it is signed on behalf of the Board. In the
5 event that the Board, in its discretion, does not approve this Consent Agreement, it will
6 be deemed withdrawn, will be of no evidentiary value and shall not be relied upon or
7 introduced in any disciplinary proceeding by any party. Dr. Bigos agrees that should
8 the Board reject this Consent Agreement and this case continues through the
9 administrative process, she shall assert no claim that the Board was prejudiced by its
10 review and discussion of this document or any related records.

11 6. Dr. Bigos further understands that this Consent Agreement, if approved
12 and signed by the Board, constitutes a public document that may be disseminated as a
13 formal action by the Board.

14 7. Dr. Bigos agrees to the Board approving the following Findings of Fact,
15 Conclusions of Law and Order.

16 DATED this _____ day of October 2012.

17
18 
Erica N. Bigos, D.D.S.

19 **FINDINGS OF FACT**

- 20 1. Dr. Bigos holds license no. D05851 initially issued by the Board on June 2,
- 21 2003.
- 22
- 23 2. On April 19, 2012, the Board received a claim from the National Practitioner's
- 24 Databank regarding a Medical Malpractice Payment Report involving 6 patients
- 25 alleging inadequate crown and bridge.
- 26 3. All of the treatment in question was completed prior to 2009 and some as far
- back as 2006.



1 4. Patient records for AB-W, JW, HM-C, LS-A, PD and KM were reviewed.
2 Crowns and veneers were over-contoured and impinged on the gingival tissues for
3 patients LS-A, PD and KM.

4 5. Restorations did not adapt correctly to the margins of the teeth for patients AB-
5 W, JW, HM-C, PD and KM.

6 6. Restorations were not sealed properly on patients AB-W, JW, HM-C, LS-A and
7 KM.

8 7. The biological width was violated by the placement of the restoration for
9 patients JW, LS-A, KM and PD.

10 8. Teeth were aggressively prepared so much that the nerve was encroached upon
11 and the resistance and retention form of the preparation was lost for patients JW and
12 PD.

14 CONCLUSION OF LAW

15 Pursuant to ARS 32-1263.01(B), the Board finds that Dr. Bigos' conduct, as
16 described in the above findings of fact can be remediated through non-disciplinary
17 continuing education.

19 ORDER

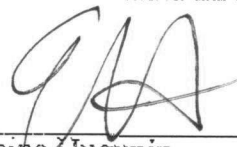
20 1. **IT IS HEREBY ORDERED** that, within 6 months from the
21 effective date of this Consent Agreement and Order, Dr. Bigos shall take and complete
22 six hours of non-disciplinary continuing dental education in the area of crown and
23 bridge. Home study or online courses are not acceptable unless they are on the list of
24 Board Approved courses that do not require prior approval. At least ten business days
25 prior to the date of the continuing education course(s), Dr. Bigos shall obtain pre-
26 approval for the continuing education from the Board's Executive Director. Within



1 five days of completion of each continuing education course, Dr. Bigos shall submit to
 2 the Board verification of completion of the course(s). Verification shall be by
 3 canceled checks, attendance slips, if any, and a copy of any notes taken during the
 4 course. The continuing education ordered in this Consent Agreement is in addition to
 5 the continuing education hours required for license renewal. In the event Dr. Bigos
 6 fails to timely complete the continuing education, the Board may initiate disciplinary
 7 proceedings for non-compliance with a Board order.

8 DATED this 10th day of December, 2012.

9 ARIZONA STATE BOARD OF
 10 DENTAL EXAMINERS

11 

12 Elaine Hugunin
 13 Executive Director

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 15 A copy of the following mailed by CERTIFIED MAIL this 11th day of December 2012 to:

16
 17 Erica N. Bigos, DDS
 18 42104 N. Venture Dr., Bldg E., Suite 103
 19 Anthem, AZ 85086

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