

1                   **BEFORE THE ARIZONA STATE BOARD OF DENTAL EXAMINERS**

2  
3   IN THE MATTER OF:

4   **T. Phillip Shin, D.D.S.**

5   Holder of License No. D8238  
6   For the Practice of Dentistry  
7   In the State of Arizona.

Case No. 201900006

**NON-DISCIPLINARY  
CONSENT AGREEMENT  
AND ORDER**

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ARIZONA STATE BOARD OF  
DENTAL EXAMINERS

8           In order to resolve this case quickly and judiciously, the Arizona State Board of  
9   Dental Examiners ("Board") and T. Phillip Shin, D.D.S. enter into this Non-  
10   Disciplinary Consent Agreement and Order ("Consent Agreement") in lieu of further  
11   administrative and judicial proceedings. It is consistent with the public interest and the  
12   requirements and statutory authority of the Board, specifically, A.R.S. §§ 32-1263.01,  
13   -1263.02, and 41- 1092.07(F) (5). This Consent Agreement shall resolve all issues the  
14   Board has reviewed and investigated regarding the allegations in this matter.

15           Therefore, in lieu of further proceedings, T. Phillip Shin, D.D.S. admits and  
16   understands that:

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

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

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

25           4.   The findings contained in the Findings of Fact portion of the Consent  
26   Agreement are conclusive evidence of the stated facts for only proceedings with and  
  between the Board and Dr. Shin. The Board may consider this Consent Agreement

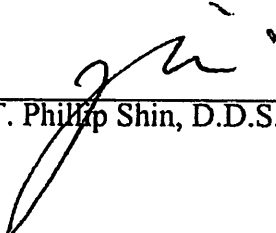
1 when and if future disciplinary proceedings arise only if the disciplinary proceedings  
2 are within 5 years from the date of this order.

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. Shin agrees that should  
8 the Board reject this Consent Agreement and this case continues through the  
9 administrative process, he 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. Shin further understands that this Consent Agreement, if approved  
12 and signed by the Board, constitutes a public document.

13 7. Dr. Shin accepts the Board approving the following Findings of Fact,  
14 Conclusions of Law and Order.

15 DATED this 15 day of August, 2019.

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18 \_\_\_\_\_  
19 T. Phillip Shin, D.D.S.

20 **FINDINGS OF FACT**

- 21 1. Dr. Shin holds license no. D8238 initially issued by the Board on June 15, 2011.  
22 2. On August 12, 2014, DK presented to a prior treating dentist at the location where  
23 Dr. Shin practiced for a comprehensive exam was completed. No significant findings were  
24 documented.  
25 3. On October 17, 2014, DK presented to the prior treating dentist for an emergency  
26 visit. DK's treatment records indicate that tooth no. 20 had chipped enamel off the lingual  
cusp. A crown was recommended as there was an existing large MOD restoration.

1 4. On September 10, 2015, DK presented to Dr. Shin for her hygiene appointment and  
2 was treatment planned for the prior recommendation of for a crown on tooth no. 20.

3 5. On October 27, 2015, Dr. Shin prepared tooth no. 20 for a crown. The crown was  
4 fabricated and placed on tooth no. 20. There is no documentation of a post cementation x-  
5 ray to verify the seating of the restoration. DK returned for a follow-up visit at which time  
6 Dr. Shin adjusted the crown. DK was advised that the crown on tooth no. 20 may be  
7 replaced if there were further complaints. There is no documentation of an x-ray taken at  
8 that time.

9 6. Dr. Shin failed to ensure that the margins of the crown on tooth no. 20 were closed  
10 or sealed and on sound natural tooth structure.

### 11 CONCLUSIONS OF LAW

12 The conduct described in the foregoing Findings of Fact does not constitute  
13 unprofessional conduct and pursuant to ARS 32-1263.01(B). The Board finds that Dr.  
14 Shin's conduct can be remediated through non-disciplinary continuing education.  
15

### 16 ORDER

17 1. **IT IS HEREBY ORDERED** that, within 6 months from the effective  
18 date of this Consent Agreement and Order, Dr. Shin shall take and complete three (3)  
19 hours of continuing education in crown and bridge. Home study or online courses are  
20 not acceptable. At least ten business days prior to the date of the continuing education  
21 course(s), Dr. Shin shall obtain pre-approval for the continuing education from the  
22 Board's Executive Director. Within five days of completion of each continuing  
23 education course, Dr. Shin shall submit to the Board verification of completion of the  
24 course(s). Verification shall be by a certificate of completion. The continuing  
25 education ordered in this Consent Agreement is in addition to the continuing education  
26

1 hours required for license renewal. In the event Dr. Shin fails to timely complete the  
2 continuing education, the Board may initiate disciplinary proceedings for non-  
3 compliance with a Board order.

4 DATED this 9<sup>th</sup> day of October, 2019.

5 ARIZONA STATE BOARD OF  
6 DENTAL EXAMINERS

7 

8 Ryan P. Edmonson  
9 Executive Director

10 A copy of the following mailed by US REGULAR MAIL this 9<sup>th</sup> day of October, 2019 to:  
11

12 T. Philip Shin, DDS  
13 2727 E. Thomas Rd., Unit #7  
14 Phoenix, AZ 85016

15 D.K.

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19 Phoenix, AZ 85016

20 *By: Miriam Thompson*  
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