

Effective Date: 12/13/2024

**STATE OF MAINE  
BOARD OF DENTAL PRACTICE**

*In re:* **KEVIN M. LUKIS, D.D.S.**  
Case No. 23-45

**CONSENT AGREEMENT**

This document is a Consent Agreement (the "Agreement"), effective when signed by all parties hereto, regarding disciplinary action against Kevin M. Lukis's license to practice dentistry. The parties to this Consent Agreement are: Kevin M, Lukis, D.D.S. ("Dr. Lukis"), the State of Maine Board of Dental Practice ("the Board"), and the Office of the Attorney General ("the Attorney General"). This Consent Agreement is entered into pursuant to 10 M.R.S. § 8003(5-A)(C).

**STATEMENT OF FACTS**

1. On June 6, 2013, the Board first issued Dr. Lukis a license to practice dentistry in the State of Maine, license number DEN4321.
2. Dr. Lukis first began treating Patient MF on August 4, 2022. Patient MF was 75 years old and had a complex medical history which included diabetes, high blood pressure, anticoagulation, strokes, and aphasia, which limited her ability to communicate.
3. At her initial appointment, Dr. Lukis and Patient MF's representative discussed treatment options, one of which included a complete upper denture. There was also discussion of possible referral to an oral surgeon for necessary extractions due to Patient MF's compromised medical history.
4. On or around November 23, 2022, Patient MF was treatment planned for debridement of a lower implant supported Hader Bar denture and full upper extraction of 11 teeth with an immediate denture placement.
5. On December 6, 2022, Dr. Lukis performed a gingivectomy and gingivoplasty surrounding Patient MF's Hader Bar using a scalpel and laser. This procedure was performed without complications.
6. On May 23, 2023, Patient MF presented for exaction of 11 upper teeth and delivery of an immediate upper denture and a lower overdenture. Because Patient MF did not have complications after her December 6 procedures, Dr. Lukis elected to perform the extractions during a single appointment.

7. After extracting the 11 teeth, Dr. Lukis placed gelfoam at each extraction site but did not suture the gelfoam into the sites. Dr. Lukis placed the immediate upper denture with a soft relined and instructed Patient MF and her representative to keep the relined denture in overnight. At the time Patient MF was discharged, her bleeding was under control.

8. After the appointment on May 23, Patient MF was unable to tolerate the upper denture and removed it and replaced it several times during the day. Bleeding continued throughout the day until later that night when Patient MF was transported to a hospital emergency department by ambulance and presented with golf ball sized blood clots in her mouth.

9. In advance of the May 23, 2023 appointment, Dr. Lukis did not consult with Patient MF's medical physicians in advance of her 11 extractions, despite her complicated medical history and the fact that she was on anticoagulants.

10. Absent acceptance of this Consent Agreement by signing, dating, and returning it to Penny Vaillancourt, Executive Director, Board of Dental Practice, 143 State House Station, Augusta, Maine 04333-0143, by **December 11, 2024**, the Board will resolve this matter by holding an adjudicatory hearing.

### COVENANTS

11. Dr. Lukis admits to the facts as stated above and admits that such conduct constitutes grounds for imposing discipline against his license pursuant to 32 M.R.S. § 18325(1)(D)(2)<sup>1</sup> for:

- a. failing to consult with Patient MF's primary treating provider in advance of an invasive procedure despite her compromised medical history.
- b. failing to suture the gelfoam into Patient MF's extraction sites and/or failing to perform the extractions during two separate appointments.

12. As DISCIPLINE for the conduct admitted to in the paragraphs above, the Board imposes, and Dr. Lukis accepts the following:

- a. A **WARNING**; and
- b. The following **CONDITION OF PROBATION** to be in effect for 90 days after execution of this Agreement: submit to the Board documentation substantiating successful completion of **six (6) hours of continuing**

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<sup>1</sup> Section 18325(1)(D)(2) provides that incompetence in the practice of dentistry is a ground for discipline and that a licensee is considered incompetent in the practice if he has engaged in conduct that evidences a lack of knowledge or inability to apply principles or skills to carry out the practice of dentistry.

**education**, specifically on the following subjects: patient medical histories, patient selection, and consultations for medical clearances before performing dental procedures, all of which must be pre-approved by the Board Chair. If requested, the Board Chair may approve an extension of time to complete the continuing education hours. This continuing education may not be reused and is in addition to any other continuing education requirements that Dr. Lukis may otherwise be required to complete (if any) and must be satisfied during this probationary period.

13. Violation of any term or condition of this Consent Agreement by Dr. Lukis may be deemed by the Board to constitute unprofessional conduct and be grounds for additional discipline against his Maine dental license, including without limitation possible monetary penalties and license suspension or revocation.

14. This Consent Agreement is not appealable, constitutes disciplinary action that is reportable to the National Practitioner Data Bank, and is effective until amended or terminated in writing by agreement of all the parties hereto. This Consent Agreement cannot be amended orally.

15. Requests for amendment of this Consent Agreement must be made in writing and submitted to the Board. The Board, at its discretion, may (a) deny such a request, (b) grant such a request, or (c) grant such a request in part. A Board decision regarding a request to modify this Consent Agreement need not be made pursuant to a hearing and is not appealable to any court.

16. This Consent Agreement is a public record within the meaning of 1 M.R.S. § 402(3) and will be available for inspection and copying by the public pursuant to 1 M.R.S. § 408-A.

17. Nothing in this Consent Agreement shall be construed to affect any right or interest of any person not a party hereto.

18. Terms of this Consent Agreement constitute the entire agreement between and among the parties.

19. If any provision of this Consent Agreement is for any reason determined to be invalid, the effectiveness and enforceability of all other provisions of the Consent Agreement shall not be affected by such determination.

20. The Board and Dr. Lukis agree that no further agency action will be initiated against his license by the Board based upon the specific violations admitted to herein, except or unless he fails to comply with the terms and conditions of this Consent Agreement. The Board may, however, consider the conduct described above as evidence of a pattern of misconduct in the event that other allegations are brought against Dr. Lukis, and this Consent Agreement may be introduced as evidence in any future adjudicatory hearing involving Dr. Lukis. The Board may also consider the fact that discipline was imposed by this Consent Agreement in

determining appropriate discipline in any further complaints against Dr. Lukis and whether to approve any future application for licensure submitted by Dr. Lukis.

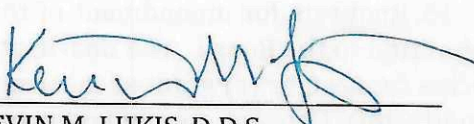
21. This Consent Agreement becomes effective on the date on which the final signature is affixed hereto.

22. Dr. Lukis acknowledges by his signature hereto that he has read this Consent Agreement, that he has had an opportunity to consult with an attorney before signing this Consent Agreement, that he signed this Consent Agreement of his own free will and without undue influence of any kind from any person, and that he agrees to abide by all terms and conditions set forth herein.

23. This Consent Agreement may be signed in counterparts, with all counterparts together constituting one original instrument. Signatures below may be applied and/or saved electronically, and such electronic signatures will be given the same effect as a paper document signed in ink.


**SIGNATURES**

DATED: 12/6/24

  
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KEVIN M. LUKIS, D.D.S.

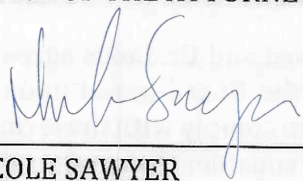
MAINE BOARD OF DENTAL PRACTICE

DATED: 12/12/24

  
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TRACEY L. JOWETT, RDH, BSDH, IPDH  
Chair, Maine Board of Dental Practice

OFFICE OF THE ATTORNEY GENERAL

DATED: 12/13/2024

  
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NICOLE SAWYER  
Assistant Attorney General