

**IN THE MATTER OF** \* **BEFORE THE MARYLAND**  
**MALLORY LANKFORD, R.D.H.** \* **STATE BOARD OF**  
**Respondent** \* **DENTAL EXAMINERS**  
**License Number: 8035** \* **Case Number: 2020-109**

\* \* \* \* \*

**ORDER FOR SUMMARY SUSPENSION**  
**OF LICENSE TO PRACTICE DENTAL HYGIENE**

The Maryland State Board of Dental Examiners (the “Board”) hereby **SUMMARILY SUSPENDS** the license of **MALLORY LANKFORD, R.D.H.** (Registered Dental Hygienist) (the “Respondent”), License Number 8035, to practice dental hygiene in the State of Maryland. The Board takes such action pursuant to its authority under: Md. Code Regs. (“COMAR”) 10.44.07.24, determining that there is a substantial likelihood that the Respondent poses a risk of harm to the public health, safety, or welfare; and Md. Code Ann., State Gov’t § 10-226(c)(2) (2014 Repl. Vol. & 2019 Supp.), concluding that the public health, safety and welfare imperatively require emergency action.

**INVESTIGATIVE FINDINGS**

The Board bases its action on the following findings:<sup>1</sup>

1. At all times relevant hereto, the Respondent has been licensed to practice dental hygiene in the State of Maryland and practiced at a private practice located in

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<sup>1</sup> The statements regarding the Respondent’s conduct identified herein are intended to provide the Respondent with reasonable notice of the asserted facts. They are not intended as, and do not necessarily represent, a complete description of the evidence, either documentary or testimonial, to be offered against the Respondent.

Salisbury, Maryland (the “Practice”). The Respondent was initially licensed on June 19, 2019. Her license is current through June 30, 2021.

2. On February 13, 2020, the Board received a complaint from a former colleague of the Respondent who was the patient care coordinator at the Practice (the “Complainant”). The Complainant reported that the Respondent practiced dental hygiene without a supervising dentist being present on-site, *i.e.* under general supervision, in violation of the Board’s regulations.<sup>2</sup> According to the complaint, the Respondent was only permitted to practice with direct supervision because she had not yet attained the requisite experience.

3. Based on the complaint, the Board initiated an investigation.

4. On or about March 2, 2020, the Board’s investigator participated in an on-site inspection of the Practice. During the inspection, a Board-assigned inspector observed that the Respondent may be practicing without direct supervision.

5. On or about March 9, 2020, the Board’s investigator conducted an interview with the Complainant under oath. The Complainant stated “this is [the Respondent’s] first dental hygiene job out of hygiene school,” from which she graduated in May 2019.

6. The Complainant also reported that on several occasions, the Respondent had been scheduled to work under general supervision, *i.e.* without a dentist supervisor on the premises. Each time, however, the Complainant had preemptively “cancelled the

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<sup>2</sup> COMAR 10.44.27.04 specifies the conditions under which a registered dental hygienist is permitted to practice under general supervision. In summary, the Board’s rule requires the dental hygienist to have completed at least 1500 hours of clinical practice in direct patient care before operating under general supervision. In addition, each patient must consent in writing to the dental hygiene services being provided under general supervision.

patients because I knew she [the Respondent] wasn't ready." The Complainant added, "I think just in general I don't think she [the Respondent] was brave enough to tell them no."

7. In addition, the Complainant compiled a tally of the total number of hours the Respondent worked over the course of her employment at the Practice until approximately February 2020, when the Complainant left the Practice. By the Complainant's count, the Respondent had accrued a total of 717 hours of clinical experience.

8. According to the Complainant, the tally was "generous" and likely overestimated the true total.

9. The Complainant also supplied the Board's investigator with records from the Respondent's treatment of three patients from February 8, 2020. The records indicate that the Respondent practiced under general supervision on that day.

10. For example, the clinical note lists the provider as the Respondent and lists "None" in the "Additional provider" section.

11. At least one of the records explicitly notes "Gen Sup" in the clinical note.

12. The record for only one of the three patients contains a written consent to general supervision, signed by the patient on February 8, 2020.<sup>3</sup>

### **The Respondent's Name**

13. According to the records received by the Board, and allegations by the Complainant, the Respondent is practicing under a name that is different from the name

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<sup>3</sup> A consent form such as this would only be permissible for hygienists with the requisite 1500 hours of experience. See COMAR 10.44.27.04.

under which she is licensed. The chart notes from February 8, 2020, show her listed as Mallory Lankford Illian. She is licensed under the name cited above.

### CONCLUSIONS OF LAW

Based on the foregoing Investigative Findings, and pursuant to its authority under Md. Code Ann., State Gov't § 10-226(c)(2) (2014 Repl. Vol. & 2019 Supp.), the Board concludes that the public health, safety, and welfare imperatively require this emergency action of summary suspension. In addition, pursuant to COMAR 10.44.07.24, the Board concludes that there is a substantial likelihood that the Respondent poses a risk of harm to the public health, safety, or welfare.

### ORDER

Based on the foregoing, it is by the Board hereby:

**ORDERED** that the Respondent's license to practice dental hygiene in the State of Maryland, under License Number 8035, is hereby **SUMMARILY SUSPENDED**; and it is further

**ORDERED** that upon the Board's receipt of a written request from the Respondent, a Show Cause Hearing shall be scheduled at the Board's next regularly scheduled meeting, not to exceed thirty (30) days from the Board's receipt, at which the Respondent will be given an opportunity to be heard as to why the Order for the Summary Suspension should not continue; and it is further

**ORDERED** that if the Respondent files a written request for a Show Cause Hearing and fails to appear, the Board shall uphold and continue the Summary Suspension; and it is further

**ORDERED** that upon service of this Order for Summary Suspension, the Respondent shall immediately surrender to the Board all indicia of licensure to practice dental hygiene issued by the Board that are in her possession, including but not limited to her original license, renewal certificates, and wallet size license; and it is further

**ORDERED** that this document constitutes an Order of the Board and is therefore a public document for purposes of public disclosure, as required by Md. Code Ann., General Provisions §§ 4-101 through 4-601 (2019 Repl. Vol.).

#### **NOTICE OF HEARING**<sup>4</sup>

Following the Board's receipt of a written request for a Show Cause Hearing filed by the Respondent, a Show Cause Hearing will be held before the Board at the offices of the Maryland Board of Dental Examiners, Spring Grove Hospital Center, Benjamin Rush Building, 55 Wade Avenue, Catonsville, Maryland 21228. The Show Cause Hearing will be scheduled for the Board's next regularly scheduled meeting, not to exceed thirty (30) days.

At the conclusion of the Show Cause Hearing held before the Board, the Respondent, if dissatisfied with the result of the hearing, may, within ten (10) days, file a written request for an evidentiary hearing. Unless otherwise agreed to by the parties, the Board shall provide a hearing within forty-five (45) days of the Respondent's written request. The Board shall conduct an evidentiary hearing under the contested case provisions of Md. Code Ann., State Gov't §§ 10-210 *et seq.* (2014 Repl. Vol. & 2019 Supp.).

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<sup>4</sup> Due to the current pandemic, Board hearings may be held remotely by teleconference.

May 21, 2020  
Date

Francis X. McLaughlin, Jr.  
Francis X. McLaughlin, Jr., Executive Director  
Maryland State Board of Dental Examiners