

**MARYLAND STATE BOARD  
OF DENTAL EXAMINERS  
COMPLIANCE UNIT ANNUAL REPORT  
FISCAL YEAR 2010  
For the General Public  
SEPTEMBER 1, 2010**

## **OVERVIEW:**

The Compliance Unit of the Maryland State Board of Dental Examiners continually strives to provide the most professional level of service to all individuals and entities we encounter. We recognize that our role is a serious and important one in overseeing the complaint, investigative, transmittal and case management processes. Our unit works closely with Board Counsel and with the Office of the Attorney General to ensure that licensees and certificate holders uphold the Dental Practice Act and comply with Board orders.

Fiscal Year 2010 began as a year of transition for the Compliance Unit. The Board Legal Assistant and Dental Compliance Officer were appointed as co-interim Executive Directors on July 1, 2009. The MSBDE at that time was undergoing a Sunset Review, which continued through mid-September. The interim appointment ended in October, 2009 upon the arrival of Mrs. Laurie Sheffield-James as the Executive Director for the Board. Almost immediately, the Sunset Review Preliminary Report was received, and required a response from all units of the Board. Ultimately, the state legislature approved the Sunset recommendation for the MSBDE to be re-evaluated in ten years. Another transition during the year for the Compliance Unit included acquisition of additional space to accommodate all case files in one location.

## **STAFF:**

Currently, in addition to the Dental Compliance Officer there are four full time staff members working in the Compliance Unit. The two investigators (Walter Akers and Wayne Wilson) conduct office inspections, interview witnesses, complainants and respondents, maintain communication with Board experts assigned to cases, prepare reports and interface with the Office of the Attorney General. The paralegal (Tia Delly) maintains the hearing schedule, reviews respondent's response and records for accuracy and completeness, transmits cases to the Office of the Attorney General, tracks cases assigned to investigators and to Board experts, and prepares the spreadsheet for status of cases referred for prosecution. The Case Manager (Gloria Byrd) coordinates Board orders subsequent to the adjudication process and ensures that respondents and practice reviewers adhere to specified guidelines.

The Dental Compliance Officer (DCO) oversees the entire complaint process from the time complaints are received, through adjudication or closure. The DCO reviews each complaint, reports to Committees and to the full Board, assigns experts and practice reviewers, drafts Letters of Education and Advisory Letters, requires regular updates from Investigative and Case Management staff, reviews tracking reports, reviews investigative and expert reports, maintains contact with Board Counsel and the Office of the Attorney General, conducts staff evaluations and manages the day to day operations of the Compliance Unit.

The Compliance Unit also receives additional assistance from the Board Secretary (Alexis McCamey), who redacts complaints and provides the Triage agenda for complaint review; and from the Board Office Clerk (Mary Ellen Peters), who assists with the closure process and completes the annual retention schedule.

### **OPERATIONS:**

A copy of the complaint process is attached to this report for your review. The Compliance Unit utilizes a variety of resources to assist in daily operations. Our computer operating system, License 2000 tracks contact information for licensees, and indicates status of cases. The Board's computer network specialist assists the unit by providing specific crystallized reports from License 2000 upon request. Various spreadsheets are maintained in Microsoft Excel and Access programs. The American Association of Dental Boards provides a monthly report to review for possible reciprocal actions in conjunction with Board orders from other states. In conjunction with the Executive Director, fiscal analyst and computer network specialist, several Compliance Unit staff members throughout the fiscal year have reviewed various computer operating systems to potentially update or replace our present computer system.

### **TRAINING:**

Compliance Unit staff participated in the Board Retreat in March, 2010. Additionally, investigators and the DCO are afforded the opportunity to attend the bi-monthly Investigator's Meetings offered by the Office of the Attorney General. The DCO attended supervisor training offered by DHMH in April, 2010 as well as PANDA training during the Chesapeake Conference in September, 2009.

### **OUTREACH:**

1. "Knock, Knock. We are Here from the Dental Board" was presented four times during FY10: Baltimore City Dental Society in November, 2009; Howard University College of Dentistry in March, 2010; Maryland State Dental Association Leadership Conference in May, 2010; and Maryland Dental Society/ Robert T. Freeman Dental Society Joint Meeting in June, 2010. An overview of the presentation was provided to attendees at the MSBDE Board Retreat in March, 2010.

2. The DCO participated in providing ethics instruction to University of Maryland senior dental students during American College of Dentists Day, September, 2009.
3. The Pro Bono Services Program was presented during Access to Care Day at the Chesapeake Conference in September, 2009.
4. The DCO annually participates in the White Coat Ceremony for new dental and dental hygiene students at the University of Maryland Dental School.
5. The DCO annually participates in ethics instruction to third year dental students at the University of Maryland Dental School.
6. The DCO and Executive Director met with the Chief Compliance Officer at the Physician's Board to discuss operating systems and organizational processes in May, 2010.

**STATISTICS:**

For FY10 a total of 297 complaints were received, with 33 additional cases assigned case numbers, totaling 330 cases. Seventy seven (25.93%) of the 297 complaints were closed initially. 55.6% of complaints required response and records, and 11.8% were referred for investigation. The Board ordered a total of 21 disciplinary actions during the fiscal year, 13 public, 4 non-public and 4 Pro Bono non-public orders.

	<u>FY2010</u>	<u>FY2009</u>	<u>FY2008</u>
Number of New Complaints/Cases:	330	264	295
Number of Investigations:	35	40	29
Number Referred to Peer Review:	11	14	22
Response and Records:	165	132	155
Referred to OAG:	20	18	18
Referred to Case Management:	17	16	7
Cases Closed:	155	170	191

As of June 30, 2010, there were a total of 250 open cases. One hundred of the open cases at the end of FY2010 were for respondents with multiple complaints. This constitutes forty percent of all open cases. Seventeen respondents had two complaints, six respondents had 3 complaints, six respondents had four complaints two respondents had five complaints, no respondents had six complaints, and two respondents had seven complaints.

**WELL BEING:**

For FY 2010, the Dentist Well Being Committee serviced fifty four individuals, twenty six of whom were Board referrals. Two of the Board referrals are dental radiation technologists, and the remaining 52 are dentists. The Dental Hygienist's Well Being Committee provided services to six individuals during the fiscal year, four of whom were referred by the Board. There were two Board referrals to this Committee in FY2010.

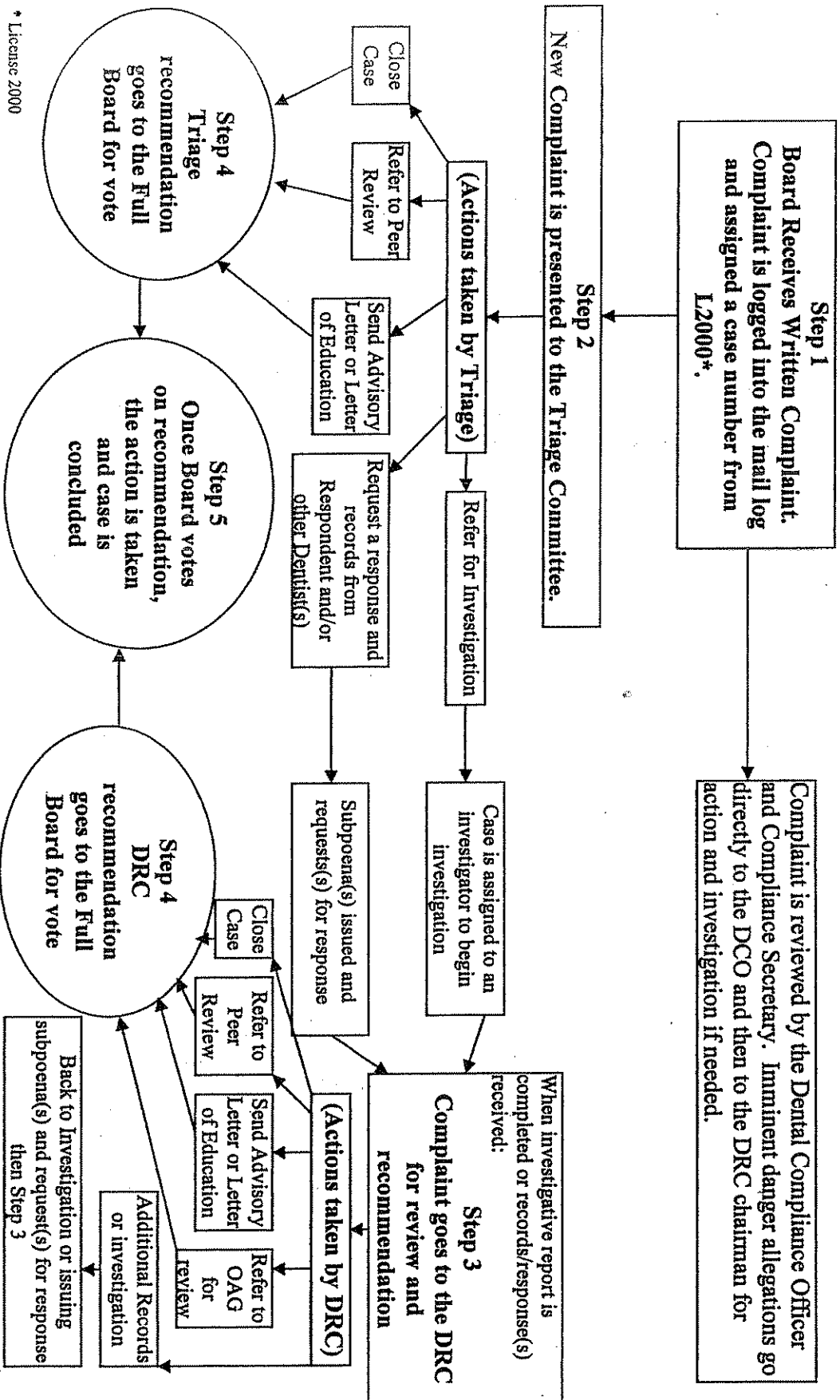
The Board disbursed \$95,383.83 for the Dentist Well Being Committee and \$23,327.75 for the Dental Hygiene Well Being Committee in FY2010.

**ACTIVE CASES BY FISCAL YEAR**

	<u>Dentist Well Being</u>	<u>Dental Hygienist's Well Being</u>	<u>Total</u>
FY06	42	1	43
FY07	43	10	53
FY08	44	4	48
FY09	41	6	47
Fy10	54	6	60



# Maryland State Board of Dental Examiners General Written Complaint Process



\* License 2000

# Maryland Board of Dental Examiners

Triage Report - FY 10

Triage Report - Prepared by Alexis McCamey

	Total New Complaints	Closed Initially	Response & Records	Referred for Investigation	Peer Review	Closed w/ Letter	Other
Jul-09	16	5	10	1	0	0	0
Aug-09	25	7	12	4	0	0	2
Sep-09	19	2	12	3	1	0	1
Oct-09	44	10	25	4	4	0	1
Nov-09	27	13	12	2	0	0	0
Dec-09	14	5	8	1	0	0	0
Jan-10	27	6	13	6	1	1	0
Feb-10	24	5	11	4	2	0	2
Mar-10	18	8	9	0	1	0	0
Apr-10(07)	24	6	16	1	0	0	1
Apr-10(21)	14	2	10	1	0	1	0
May-10	28	3	19	4	2	0	0
Jun-10	17	5	8	4	0	0	0



Maryland State Board of Dental Examiners

"FY2010" BOARD ACTIONS

CATEGORY	PUBLIC	NON-PUBLIC	TOTAL AMOUNT
Actions	21	8	29
Disciplinary Orders	13	4	17
Terminations	8	10	18
Denials	3	NA	3
Surrender	1	NA	1
Revocations	2	NA	2
Pro-Bono	0	4	4