

IN THE MATTER OF
DEITRA E. BELLAMY, D.D.S.

Respondent

LICENSE NUMBER: 13362

* BEFORE THE MARYLAND
* STATE BOARD
* OF DENTAL EXAMINERS

* CASE NUMBERS: 2014-234
* 2014-268
* 2015-006
* 2015-018
* 2015-028

* * * * *

FINAL ORDER

On or about February 23, 2015, the Maryland State Board of Dental Examiners (the "Board") charged **DEITRA E. BELLAMY, D.D.S.** (the "Respondent"), License Number 13362, under the Maryland Dentistry Act (the "Act"), codified at Md. Code Ann., Health Occ. ("Health Occ.") §§ 4-101 *et seq.* (2014), and the regulations adopted by the Board. The pertinent provisions of the Act included:

Health Occ. § 4-315(a):

(a) *License to practice dentistry.* – Subject to the hearing provisions of § 4-318 of this subtitle, the Board may deny a general license to practice dentistry...reprimand any licensed dentist, place any licensed dentist on probation, or suspend or revoke the license of any licensed dentist, if the ... licensee:

- (16) Behaves dishonorably or unprofessionally, or violates a professional code of ethics pertaining to the dentistry profession;
- (20) Violates any rule or regulation adopted by the Board;
- (33) Fails to comply with any Board order; or
- (34) Willfully and without legal justification, fails to cooperate with a lawful investigation conducted by the Board.

The pertinent regulations adopted by the Board included:

Md. Code Regs. ("COMAR"): § 10.44.23.01

- B. A dentist...may not engage in unprofessional or dishonorable conduct.

- C. The following shall constitute unprofessional or dishonorable conduct in the practice of dentistry...:
- (2) Engaging in conduct which is unbecoming a member of the dental profession;
 - (7) Willfully and without legal justification, failing to cooperate with a lawful investigation conducted by the Board, which includes, but is not limited to:
 - (a) Furnishing information requested;
 - (b) Complying with a subpoena;
 - (c) Responding to a complaint at the request of the Board; and
 - (d) Providing meaningful and timely access to relevant patient records; or
 - (8) Committing any other unprofessional or dishonorable act or omission in the practice of dentistry, dental hygiene, or dental radiation technology.

COMAR § 10.44.30.02

- A. A dentist shall create and maintain a separate dental record for each patient.

On or about February 23, 2015, the Board served the Respondent with notice of the charges. In accordance with the Administrative Procedure Act, Md. Code Ann., State Gov't. §§ 10-201 et seq. (2014), the Board thereby notified the Respondent of her opportunity for a hearing before the Board makes a final decision in this case if she requested a hearing within thirty days of service. Subsequently, thirty days elapsed without a response from the Respondent. Accordingly, the Board issues this Final Order.

FINDINGS OF FACT

The Board finds the following facts.

1. At all times relevant to these Charges, the Respondent was licensed to practice dentistry in the State of Maryland. The Respondent was initially licensed to practice dentistry in Maryland on or about July 18, 2004, under license number 13362. Her license is current through June 30, 2016.

2. In addition, the Respondent has held a license in Virginia since approximately November 3, 1995, under license number 0401008286, which is current through March 31, 2015.

3. For approximately two years until early 2014, the Respondent operated and practiced at her own dental office, Bellamy Family Dentistry, in Bowie, Maryland.

COMPLAINT

4. On or about May 9, 2014, the Board received a complaint (Complaint A) from a female patient of the Respondent (Complainant A; Case No. 2014-234) alleging that the Respondent had abandoned her practice and patients and could not be located. Complaint A further alleged that Complainant A had pre-paid the Respondent approximately \$10,000 for dental implants that the Respondent never installed before disappearing. However, the Respondent had cashed the check. Based on Complaint A, the Board initiated an investigation.

ADDITIONAL COMPLAINTS AND BOARD INVESTIGATION

5. On or about June 24, 2014, the Board received a letter from a Credentialing Supervisor with the Respondent's insurance provider. The letter notified the Board that the provider had terminated the Respondent's participation "due to facility and patient abandonment." The letter further noted that "numerous attempts to reach the provider and the office" were unsuccessful.

6. On or about June 30, 2014, the Board received another complaint (Complaint B) from a female patient of the Respondent (Complainant B; Case No. 2014-268) containing similar allegations of patient abandonment.

7. On or about July 1, 2014, the Board issued and served a subpoena to the Respondent requesting Complainant A's treatment records. The Respondent failed to comply with this subpoena.

8. On or about July 10, 2014, the Board received a letter from a representative ("the Real Estate Manager") of the real estate services company that managed the lease on the Respondent's office. The letter stated that according to the company's records, as of February 1, 2014, the Respondent had become late in paying the rent on her office. Subsequently, the company "attempted to contact Dr. Bellamy on numerous occasions via phone, email, site visits, and pursued collections based on the tenant's lease requirements, with no success."

9. The Real Estate Manager further informed the Board that, around May of 2014, the owner of the office space had lawfully repossessed the space and had changed the locks to prevent unauthorized access by the Respondent or others. The Real Estate Manager offered to cooperate with any Board investigation.

10. On or about July 11, 2014, the Board investigator, accompanied by the Real Estate Manager, conducted a site visit of the Respondent's abandoned office. As the investigator documented in many photographs, the office appeared nearly undisturbed from the period when it hosted an active dental practice. For example, telephones appeared still connected. A flat-screen television remained mounted in the waiting area. The cabinets, drawers, and countertops were still stocked with various dental instruments, sterilization bags, and autoclaved hand pieces.

11. In one treatment room, multiple boxes containing patient records were piled on the floor in a state of disarray. An open laptop sat on a desk in what appeared to be the Respondent's private office, where the floor was cluttered with various contents of drawers.

12. On or about July 15, 2014, the Board investigator attempted to contact the Respondent by email.

13. On or about July 17, 2014, the Board received another complaint (Complaint C) from a male patient of the Respondent (Complainant C; Case No. 2015-006) containing similar allegations of patient abandonment.

14. On or about July 18, 2014 the Board issued and served another subpoena to the Respondent requesting a detailed narrative of treatment of Complainant A and records of Complainant A. The Respondent failed to comply with this subpoena.

15. On or about August 3, 2014, the Board investigator again attempted to contact the Respondent by email.

16. On or about August 4, 2014, the Board investigator again attempted to contact the Respondent by email. The same day, the Respondent contacted the Board's investigator by telephone. The Board investigator informed the Respondent verbally of the investigation and informed her that the Board had issued a subpoena to her requesting records and a response to the allegations of patient abandonment. The Respondent did not provide any information regarding the circumstances of her patient abandonment.

17. Also on or about August 4, 2014, the Board received another complaint (Complaint D) from a female patient of the Respondent (Complainant D; Case No. 2015-018) containing similar allegations of patient abandonment.

18. On or about August 22, 2014, the Board received another complaint (Complaint E) from a female patient of the Respondent (Complainant E; Case No. 2015-028) containing similar allegations of patient abandonment.

19. On or about August 25, 2014, the Board received an unsigned letter dated July 1, 2014, with the salutation "Dear Patient," apparently from the Respondent. The letter notifies the "Patient" that the Respondent is closing her office for personal reasons, advises to seek treatment elsewhere, and promises to forward records to the patient. None of the complainants stated that they received records as the letter promises.

20. On or about August 28, 2014, the Board sent a letter to the Respondent, noting her failure to respond to the Board's previous requests for documents and a narrative regarding Complainant A's treatment. The letter notified the Respondent that the Board may charge the Respondent with failure to cooperate with a Board investigation if her failure to respond continued. The Respondent failed to respond.

CONCLUSIONS OF LAW

Based on the Findings of Fact, the Board concludes that the Respondent's conduct, as described above, constitutes violations of the Act and the regulations adopted by the Board as cited above. Specifically:

- A. The Respondent's patient abandonment constitutes: engaging in dishonorable or unprofessional conduct, in violation of Health Occ. § 4-315(a)(16); and violating a rule or regulation adopted by the Board, in violation of Health Occ. § 4-315(a)(20), specifically: COMAR § 10.44.23.01B, C(2) & (8).

- B. The Respondent's failure to cooperate with the Board's investigation constitutes: engaging in dishonorable or unprofessional conduct, in violation of Health Occ. § 4-315(a)(16); violating a rule or regulation adopted by the Board, in violation of Health Occ. § 4-315(a)(20), specifically: COMAR § 10.44.23.01B, C(2), (7)(a), (7)(b), (7)(c), (7)(d), & (8); failing to comply with any Board order, in violation of Health Occ. § 4-315(a)(33); and willfully and without legal justification, failing to cooperate with a lawful investigation conducted by the Board, in violation of Health Occ. § 4-315(a)(34).
- C. The Respondent's failure to properly maintain patient records constitutes: violating a rule or regulation adopted by the Board, in violation of Health Occ. § 4-315(a)(20), specifically: COMAR § 10.44.30.02A.

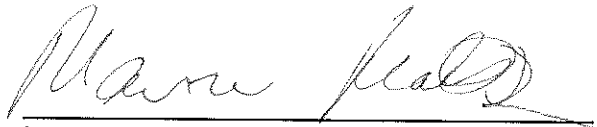
ORDER

Based on the foregoing Findings of Fact and Conclusions of Law, it is by the Board:

ORDERED that the Respondent's license to practice dentistry in the State of Maryland, license number 13362, is hereby **REVOKED**; and it is further

ORDERED that this Final Order shall be a **PUBLIC DOCUMENT** pursuant to Md. Code Ann., General Provisions, § 4-101 through 4-601 (2014).

04/01/2015
Date


Maurice Miles, D.D.S., President
Maryland State Board of Dental Examiners