

IN THE MATTER OF \* BEFORE THE MARYLAND  
 JOSPEH LEE DYSON, JR., D.D.S. \* STATE BOARD OF DENTAL  
 RESPONDENT \* EXAMINERS  
 LICENSE NUMBER: 8597 \* CASE NUMBERS: 2011-137

\* \* \* \* \*

**ORDER FOR SUMMARY SUSPENSION**

Pursuant to Md. State Govt. Code Ann. II §10-226 (c) (Repl. Vol. 2014), the State Board of Dental Examiners (the "Board") hereby summarily suspends the license of Joseph Lee Dyson, Jr. D.D.S. (" the Respondent"), License Number: 8597, to practice dentistry under the Maryland Dentistry Act, Md. Health Occ. ("H.O.") Code Ann. I §§ 4-101 *et seq.* (Repl. Vol. 2014). This Order is based on the following investigative findings, which the Board has reason to believe are true:<sup>1</sup>

**INVESTIGATIVE FINDINGS**

1. The Respondent was and is licensed to practice dentistry in the State of Maryland. The Respondent initially received his license to practice dentistry on or about September 22, 1983.
2. The Respondent's license to practice dentistry expires on June 30, 2017.
3. The Respondent owns and operates a dental practice located in Baltimore, Maryland.

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<sup>1</sup> The statements regarding the Respondent's conduct are only intended to provide the Respondent with notice of the basis for the Board's action. 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 in this matter.

4. On or about October 14, 2014, the Board summarily suspended the Respondent's license to practice dentistry after finding that the Respondent was not in compliance with CDC guidelines.<sup>2</sup>

5. On or about December 23, 2014, the Respondent entered into a Pre-Charge Consent Order ("Order") with the Board. The Order required that:

"2. Within **FOUR (4) MONTHS** of the date that the suspension is lifted, the Respondent's Consultant shall conduct an unannounced inspection to re-evaluate the Respondent's current dental office for compliance with CDC guidelines and to train the Respondent and each employee of the office in applying the CDC guidelines to the dental practice..."

6. The Order also provided that:

"4. Based on unannounced inspections by the Board or the Respondent's Consultant, or future investigations of complaints, if the Board makes a finding that the Respondent is not in compliance with CDC guidelines in any office where the Respondent practices dentistry, it shall constitute a violation of this Pre-Charge Consent Order, and it may, in the Board's discretion, be grounds for immediately suspending the Respondent's license. In the event that the Respondent's license is suspended under this provision, he shall be afforded a Show Cause Hearing before the Board to show cause as to why his license should not have been suspended."

7. On or about April 23, 2015, a Board approved consultant ("Consultant A")<sup>3</sup> conducted an unannounced inspection of the Respondent's dental practice.

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<sup>2</sup> The Center for Disease Control (CDC) is a federal agency dedicated to designing protocols to prevent the spread of disease. The CDC has issued guidelines for dental offices which detail the procedures deemed necessary to minimize the chance of transmitting infection both from one patient to another and from the dentist and the dentist's staff to and from patient.

<sup>3</sup> To ensure confidentiality, names are not used in this document. The Respondent may obtain the names by contacting the Administrative Prosecutor.

8. During the inspection of the Respondent's dental practice, Consultant A found several CDC violations.

9. Consultant A found the following CDC violations: (1) failure to conduct weekly spore testing; (2) no provisions in operatories for the delivery of effluent water that meets CDC guidelines; (3) failure to wear heavy duty utility gloves when handling contaminated instrument; (4) failure to flush waterlines between patient visits; and (5) failure to wear a mask while disinfecting surfaces.

10. On or about January 12, 2015, the Board received a complaint from the Respondent's patient, Patient A.

11. On or about February 25, 2015, the Board issued a subpoena to the Respondent requesting that he provide the Board with Patient A's dental records.

12. When the Board received Patient A's dental records from the Respondent, Patient A's dental records also included an undeveloped x-ray encrusted with what appeared to be blood. The encrusted x-ray was wrapped in tissue paper that was covered with a blood like substance.

13. In an interview with the Board staff, the Respondent admitted that he had personally submitted Patient A's dental records, including Patient A's x-rays to the Board.

14. The conduct of the Respondent and the conditions of the Respondent's dental practice, as set forth herein, warrants the immediate suspension of the Respondent's license to practice dentistry.

**CONCLUSIONS OF LAW**

Based on the foregoing investigative findings, the Board concludes that the public health, safety, and welfare imperatively require emergency action in this case, pursuant to Md. State Gov't. Code Ann. § 10-226(c)(2).

**ORDER**

Based on the foregoing Investigative Findings and Conclusions of Law, it is this **24th** day of **July 2015**, by a majority of the quorum of the Board, hereby


**ORDERED** that the license issued to the Respondent to practice dentistry in the State of Maryland under license number: 8597 is hereby **SUMMARILY SUSPENDED**; and it is further

**ORDERED** that the Respondent is prohibited from practicing dentistry in the State of Maryland; and it is further

**ORDERED** that the Respondent shall immediately return his license to the Board; and it is further

**ORDERED** that this **ORDER FOR SUMMARY SUSPENSION** is a **PUBLIC DOCUMENT** as defined in Md. General Provisions §§ 4-101. (2014)

07/24/2015  
Date

  
Ronald F. Moser, DDS  
Ronald F. Moser, DDS., President  
State Board of Dental Examiners