

IN THE MATTER OF	*	BEFORE THE MARYLAND
RONALD J. LEVEN, D.D.S.	*	STATE BOARD
Applicant	*	OF DENTAL EXAMINERS
LICENSE NUMBER: 3923 (expired)	*	CASE NUMBER: 2014-174
* * * * *	*	* * * * *

**CONSENT ORDER**

On or about October 31, 2014, the Maryland State Board of Dental Examiners (the "Board") received an *Application for Dental Licensure for Dentists Licensed in Another State* (the "Application") from **RONALD J. LEVEN, D.D.S.** (the "Applicant"). Based on its investigation, the Board on December 9, 2014, issued a *Notice of Intent to Deny Application for Dental Licensure* to the Applicant under the Maryland Dentistry Act (the "Act"), codified at Md. Code Ann., Health Occ. ("Health Occ.") §§ 4-101 *et seq.* (2014 Repl. Vol.).

Specifically, the Board based its action on the Applicant's violation of the following provisions of the Act:

**§ 4-302. Qualifications of applicants.**

(b) *Moral Character.* -- The applicant shall be of good moral character.

**§ 4-315. Denials, reprimands, probations, suspensions, and revocations – Grounds.**

(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...to any applicant...if the applicant...:

(16) Behaves dishonorably or unprofessionally, or violates a professional code of ethics pertaining to the dentistry profession; [and]

(20) Violates any rule or regulation adopted by the Board[.]

The Board based its action on the Applicant's violation of the following regulations adopted by the Board under Md. Code Regs. ("COMAR") 10.44.23:

**.01 Unprofessional or Dishonorable Conduct.**

- A. A dentist, dental hygienist, or dental radiation technologist may not engage in unprofessional or dishonorable conduct.
- B. The following shall constitute unprofessional or dishonorable conduct in the practice of dentistry, dental hygiene, or dental radiation technology:
  - (2) Engaging in conduct which is unbecoming a member of the dental profession[.]

On January 21, 2015, a Case Resolution Conference was held before a committee of the Board. At the conclusion of the conference, the Respondent agreed to enter into this public Consent Order consisting of Findings of Fact, Conclusions of Law, and Order.

**FINDINGS OF FACT**

The Board makes the following Findings of Fact:

1. The Applicant was initially licensed by the Board to practice dentistry in Maryland on June 21, 1964, under License Number 3923.
2. In or around June 1990, the Board received information that the Applicant was continuing to practice dentistry in Maryland after his license expired on April 1, 1982. On July 25, 1990, the Board filed a petition in the Circuit Court for Prince George's County, Maryland, to enjoin the Applicant from practicing dentistry in Maryland, which the Court granted.

3. The Applicant filed an application for reinstatement of his expired dental license on or about January 28, 1991, which the Board preliminarily denied subject to his right to a hearing. To resolve the Board's preliminary denial of his application for reinstatement, the Applicant entered into a Consent Order with the Board, executed on March 6, 1991, in which the Board made factual and legal findings that the Applicant practiced dentistry without a license from April 1, 1982, through January 25, 1991, in violation of Health Occ. § 4-601. The Board granted the Applicant's application for reinstatement, but pursuant to the Consent Order reprimanded him and placed him on probation for a period of six years.

4. In 2009, the Comptroller of Maryland informed the Board that the Applicant had outstanding State tax liabilities that were unresolved. By letter, dated June 26, 2009, the Board notified the Applicant that due to his unresolved State tax liabilities, it would not be able to renew his license to practice dentistry in Maryland, which expires on June 30, 2009, pursuant to its statutes and regulations. The letter concluded by stating,

**ALL INDIVIDUALS WHO HAVE NOT RECEIVED A RENEWAL LICENSE FROM THE BOARD BY JULY 31, 2009, MUST CEASE AND DESIST FROM THE PRACTICE OF DENTISTRY OR DENTAL HYGIENE COMMENCING ON AUGUST 1, 2009 UNTIL PROPERLY LICENSED BY THE BOARD. FAILURE TO DO SO MAY RESULT IN DISCIPLINARY ACTION.**

(Emphasis in original).

5. On or about July 31, 2009, the Board received a *Dentist License Renewal* application from the Applicant. In response, the Board sent the Applicant another letter, dated August 10, 2009, which reiterated that it could not renew his license until his state tax liabilities were resolved. The letter reminded the Applicant that "effective August 1,

2009, your license status is non-renewed and you are prohibited from practicing dentistry in the State of Maryland." Enclosed with the Board's letter was a proposed "Consent Agreement to Cease and Desist," which the Applicant did not sign.

6. The Board again notified the Applicant in a letter, dated September 18, 2009, that it could not renew or reinstate his license until it receives notice from the Comptroller of Maryland that his state tax liabilities had been resolved.

7. From August 1, 2009, until on or about January 17, 2014, the Board did not receive any correspondence from the Applicant regarding whether he was continuing to practice without a license, or whether he had satisfied his Maryland state tax liabilities. The Applicant's dental license remained expired during this period of time.

8. On or about January 17, 2014, the Board received a letter, dated January 16, 2014, from the Applicant, in which he sought reinstatement of his license. In the letter, the Applicant stated that his license was not renewed on June 26, 2009, due to his failure to pay his Maryland taxes and that he had practiced dentistry in Maryland without authorization from the Board until January 6, 2014. The Applicant enclosed an *Application for Reinstatement of Expired Dental or Dental Hygiene General or Teacher's License* (the "Reinstatement Application") with his letter.

9. The Board initiated an investigation of the Applicant after receiving his January 16, 2014, letter and his Reinstatement Application.<sup>1</sup>

10. In the course of its investigation, the Board subpoenaed dental records of five patients who received dental care from the Applicant, for purposes of a review. The

---

<sup>1</sup> The Board administratively closed the Applicant's Reinstatement Application pursuant to COMAR 10.44.10.03D, which provides, "An individual holding a license to practice dentistry or dental hygiene which has been expired for more than 3 years may not apply for reinstatement under this regulation." On or about October 31, 2014, the Applicant filed the Application in which he sought a new license to practice dentistry in Maryland based on his licensure in another state.

dental records of these five patients showed that the Applicant provided periodic dental care to them during the period of time he was unlicensed.

11. A Board investigator interviewed three of the patients who confirmed that the Applicant provided dental cleaning and/or treatment to them during the period of time he was unlicensed.

12. On or about July 11, 2014, a Board investigator interviewed the Applicant at the Board's offices. During the interview, the Applicant admitted to practicing dentistry from around August 31, 2009, through January 6, 2014, despite being fully aware that his license was expired.

#### **CONCLUSIONS OF LAW**

Based on the foregoing Findings of Fact, the Board concludes as a matter of law that it has the authority to deny the Applicant's Application for dental licensure in the State of Maryland under the following provisions of the Act: Health Occ. § 4-302(b) - lacking in good moral character; § 4-315(a)(16) - behaving dishonorably or unprofessionally, or violating a professional code of ethics pertaining to the dentistry profession; and § 4-315(a)(20) - violating any rule or regulation adopted by the Board, *i.e.* COMAR10.44.23.01A and B(2).

However, in light of the Applicant's consent to comply with the terms and conditions set forth below, the Board agrees to grant the Applicant a license, subject to those terms and conditions.

## ORDER

Based on the foregoing Findings of Fact and Conclusions of Law, it is this 4th day of March, 2015, by a majority of the Board considering this case:

**ORDERED** that the Applicant's *Application for Dental Licensure for Dentists Licensed in Another State*, filed on October 31, 2014, is hereby **GRANTED**; and it is further

**ORDERED** that the Applicant's license to practice dentistry is hereby **SUSPENDED** for a period of **EIGHTEEN (18) MONTHS**, to commence on January 6, 2014, the date the Applicant voluntarily ceased practicing, and continuing until the conclusion of the eighteen (18) month period and such time as the Applicant has completed the following terms and condition:

(1) Professional Ethics Course:

The Applicant shall successfully complete, at his own expense, a six (6) hour Board-approved course in professional ethics. The Applicant shall submit to the Board written documentation regarding the particular course he proposes to fulfill this condition. The Board reserves the right to require the Applicant to provide further information regarding the course he proposes, and further reserves the right to reject his proposed course and require submission of an alternative proposal. The Board will approve a course only if it deems the curriculum and the duration of the course adequate to fulfill the need. The Applicant shall be responsible for submitting written documentation to the Board of his successful completion of this course. The Applicant understands and agrees that he may not use this coursework to fulfill any requirements mandated for licensure renewal. The Applicant shall be solely responsible for furnishing the Board with adequate written verification that he has completed the course according to the terms set forth herein.

(2) Continuing Education ("CE")

The Applicant shall comply with all CE requirements under COMAR10.44.22, including making up the **sixty (60) CE hours** he failed to complete during the period of time his license was expired from August 1, 2009. The Applicant shall be solely responsible for submitting adequate written verification to the Board of his successful completion of his CE requirements according to the terms set forth herein.

(3) Cardiopulmonary Resuscitation Certificate

The Applicant shall maintain cardiopulmonary resuscitation certificate from one of the following programs: the American Heart Association's Basic Life Support for Healthcare Providers; the American Red Cross's Cardiopulmonary Resuscitation for Professional Rescuers; or an equivalent program approved by the Board. The Applicant shall be solely responsible for submitting adequate written verification to the Board of his maintenance of cardiopulmonary resuscitation certificate.

**AND IT IS FURTHER ORDERED** that provided the Applicant has successfully complied with the above terms and conditions, and immediately before the conclusion of the entire **EIGHTEEN (18) MONTH** period of **SUSPENSION**, the Applicant may file a written request with the Board to terminate the suspension. The Applicant must include in his written request documents verifying and establishing, to the satisfaction of the Board, his successful completion of the requisite terms and conditions. The Board, or a designated panel of the Board, will terminate the suspension if the Applicant has provided documentation to the Board demonstrating that he has successfully complied with the terms and conditions of suspension; and it is further

**ORDERED** that in the event the Board grants the Applicant's request to terminate the suspension of his license, the Applicant shall be placed on **PROBATION** for a

minimum period of **TEN (10) YEARS**, to commence on the date the Board terminates the suspension and continuing until all of the following terms and conditions are met:

- (1) During the first **TWO (2) YEARS** of his probation, the Applicant shall accept and complete one case per month from Donated Dental. The Applicant shall be solely responsible for submitting adequate written verification to the Board of his acceptance and completion of one case per month from Donated Dental.
- (2) For the remaining **EIGHT (8) YEARS** of his probation, the Applicant shall accept and complete one case per year from Donated Dental. The Applicant shall be solely responsible for submitting adequate written verification to the Board of his acceptance and completion of one case per year from Donated Dental.

**AND IT IS FURTHER ORDERED** that no earlier than **TEN (10) YEARS** from the date of the commencement of the probationary period, the Applicant may submit a written petition to the Board requesting termination of his probation. After consideration of the petition, the Board may terminate the Applicant's probation, through an order of the Board, or a designated Board committee. The Board, or designated Board committee, will grant the termination if the Applicant has fully and satisfactorily complied with all of the probationary terms and conditions and there are no pending complaints related to the Notice; and it is further

**ORDERED** that the Applicant's failure to comply with any of the conditions of this Consent Order shall be considered a violation of probation and/or a violation of this Consent Order; and it is further

**ORDERED** that if the Applicant violates any of the terms and conditions of this Consent Order, the Board, in its discretion, after notice and an opportunity for an evidentiary hearing if there is a genuine dispute as to the underlying facts, or an opportunity for a show cause hearing before the Board otherwise, may impose any

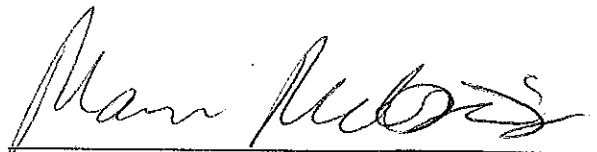


sanction which the Board may have imposed in this case, including probationary terms and conditions, a reprimand, suspension, revocation and/or a monetary penalty; and it is further

**ORDERED** that the Applicant shall comply with the Maryland Dentistry Act, and all laws, statutes and regulations pertaining thereto; and it is further

**ORDERED** that the Applicant shall be responsible for all costs incurred in fulfilling the terms and conditions of this Consent Order; and it is further

**ORDERED** that this Consent Order shall be a **PUBLIC DOCUMENT** pursuant to Md. Code Ann., Gen. Prov., §§ 4-101 *et seq.* (2014).



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

**CONSENT**

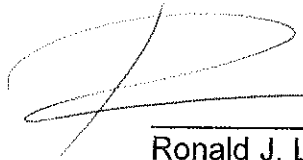
I, Ronald J. Leven, D.D.S., acknowledge that I am represented by counsel and have consulted with counsel before entering into this Consent Order. By this Consent and for the purpose of resolving the issues raised by the Board, I agree and accept to be bound by the foregoing Consent Order and its conditions.

I acknowledge the validity of this Consent Order as if entered into after the conclusion of a formal evidentiary hearing in which I would have had the right to counsel, to confront witnesses, to give testimony, to call witnesses on my own behalf, and to all other substantive and procedural protections provided by the law. I agree to forego my opportunity to challenge these allegations. I acknowledge the legal authority

and jurisdiction of the Board to initiate these proceedings and to issue and enforce this Consent Order. I affirm that I am waiving my right to appeal any adverse ruling of the Board that might have followed after any such hearing.

I sign this Consent Order voluntarily and without reservation after having an opportunity to consult with counsel, and I fully understand and comprehend the language, meaning and terms of this Consent Order.

23 Feb 15  
Date

  
Ronald J. Leven, D.D.S.

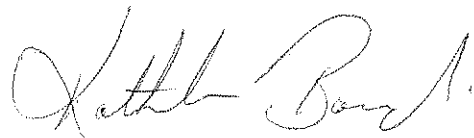
**NOTARY**

STATE OF MARYLAND  
CITY/COUNTY OF Anne Arundel

I HEREBY CERTIFY that on this 23 day of February, 2015, before me, a Notary Public of the foregoing State and City/County personally appear Ronald J. Leven, D.D.S., and made oath in due form of law that signing the foregoing Consent Order was his voluntary act and deed.

AS WITNESSETH my hand and notary seal.

Kathleen Banaszewski  
Notary Public  
Expires May 25, 2018  
Baltimore County, MD

  
Notary Public

My commission expires: 5/25/18