

IN THE MATTER OF  
JOHN I. TIFFORD, D.D.S.

Respondent

License Number: 4853

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BEFORE THE MARYLAND  
STATE BOARD OF  
DENTAL EXAMINERS  
Case Number: 2013-115

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**ORDER CONTINUING SUMMARY SUSPENSION**

Pursuant to Md. Code Ann., State Gov't § 10-226(c)(2009 Repl. Vol.), the State Board of Dental Examiners (the "Board") hereby continues the summary suspension of the license to practice dentistry issued to John I. Tifford, D.D.S. (the "Respondent" or "Dr. Tifford") based upon violations of the Maryland Dentistry Act (the "Act"), Md. Code Ann., Health Occ. §4-101 *et seq.* This Order follows a show cause hearing held on January 15, 2014 before a full quorum of the Board.

**FINDINGS OF FACT**

1. On or about December 30, 2013, the Board summarily suspended Dr. Tifford's Maryland dental license. The Order for Summary Suspension is incorporated by reference as is fully set forth herein. On July 3, 2013, the Board charged the Respondent with violating the Act based on the results of a Centers for Disease Control ("CDC") inspection of the Respondent's office. Specifically, the Board charged the Respondent with violating the following provisions of the Act under Health Occ. §4-315:

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

(6) Practices dentistry in a professionally incompetent manner or in a grossly incompetent manner;

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

(28) Except in an emergency life-threatening situation, where it is not feasible or practicable, fails to comply with the Centers for Disease Control's guidelines on universal precautions[.]

2. On December 9, 2014, the Respondent resolved the Board's charges by entering into a public Consent Order consisting of Findings of Fact, Conclusions of Law and Order. Attached as Exhibit 1.

3. According to the Consent Order, the Respondent "acknowledge[d] the violations" alleged in the Charges. Among other disciplinary measures, the Respondent agreed to accept a suspension of his license to practice dentistry in Maryland for a period of seven (7) days, commencing on December 16, 2013, and continuing until he fully and satisfactorily complied with the following terms and conditions:

(1) The Respondent's dental office shall be subject to an unannounced inspection conducted by a Board-approved inspector, other than the Board expert who conducted the original inspection; and

(2) If the Respondent passes the inspection, the suspension of his license will be lifted. If the Respondent does not pass the inspection, the suspension of his license will continue until he passes the inspection.

4. On or about December 12, 2013, the Respondent initiated a series of hostile telephone calls with Board staff. He initially contacted the Board's Case Manager (the

"Case Manager")<sup>1</sup>, and stated that he intended to reopen his office immediately after the inspection of his office was completed, which was set to take place on December 16, 2013.

5. However, the Case Manager advised the Respondent that he was not permitted to resume practice until the Board had received the inspector's report and formally lifted the suspension through its regular process. At this, the Respondent became agitated. He disputed the conditions of the Consent Order and the circumstances under which the suspension could be lifted. Finally, he hung up the telephone, shouting "You lied!"

6. Later that day, at approximately 1:00pm, the Respondent telephoned another member of the Board's staff, a Board Investigator (the "Board Investigator"). Again, the Respondent disputed the conditions and circumstances under which the Board would lift the suspension and stated that he believed the Board was intentionally acting to lengthen the time of his suspension.

8. The Respondent then stated that he wanted to come to the Board meeting personally, scheduled for December 18, 2013, in order to ensure that the Board acted on the Inspector's report, and that this was a "life or death" situation. Further, he threatened that "If I die, then others will die too." The Respondent then immediately hung up the telephone.

9. Later in the day, at approximately 3:00pm, the Board's Executive Director (the "Executive Director") contacted the Respondent by telephone to inform him that the inspection of the Respondent's office previously scheduled for December 16, 2013 was

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<sup>1</sup> To ensure confidentiality, the names of individuals, hospitals and healthcare facilities involved in this case, other than the Respondent, are not disclosed in this document.

now cancelled. The reason for the cancellation was that given the Respondent's threatening statements, there was serious concern for the Inspector's safety. The Executive Director explained that the Respondent's statements alluding to death were "scary." In response, the Respondent said, "It is a scary world," and thereafter hung up.

10. The Executive Director then alerted local and State police to the Respondent's threatening statements. On or about December 13, 2013, the St. Mary's County Police Department hand-delivered to the Respondent a Notice of Trespass warning him that he risked arrest if he entered without permission the premises of the Spring Grove Hospital Center, which houses the Board.

11. On December 30, 2013, based on the threats made by the Respondent to Board staff, and finding that the Respondent constituted an immediate danger to the public's health, safety and welfare, the Board voted to summarily suspend the Respondent's license to practice dentistry pursuant to Md. Code Ann., State Gov't §10-226(c)(2)(2009 Repl. Vol.).

12. Pursuant to Md. Code Ann., State Gov't §10-226(c)(2)(2009 Repl. Vol.), a Show-Cause hearing was held before a quorum of the Board on January 15, 2014 to provide the Respondent an opportunity to show-cause why the Order for Summary Suspension should be vacated. Both the Respondent and the Administrative Prosecutor, Michael Kao, AAG, were provided an opportunity to make their arguments.

13. Finding no good cause was shown to vacate the Order for Summary Suspension, the Board voted to uphold the suspension on the Respondent's license to practice dentistry. However, the Board voted to amend the terms of the Summary Suspension

Order to allow the Respondent an opportunity to fulfill the terms originally agreed to in his Consent Order with the Board. The amended terms are contained in the following Order.

### CONCLUSIONS OF LAW

Based on the foregoing Findings of Fact, the Board concludes that the public health, safety, and welfare imperatively required emergency action in this case, pursuant to Md. Code Ann., State Gov't, §10-226(c)(2)(2009 Repl. Vol.).

### ORDER

Based on the foregoing, it is, this 15th day of January, 2014, by a vote of the Maryland State Board of Dental Examiners, it is hereby:

**ORDERED** that the Respondent's license to practice dentistry in the State of Maryland **SHALL CONTINUE TO BE SUMMARILY SUSPENDED** for a period of **SEVEN (7) DAYS**, to commence on **January 16, 2014**, and continuing until the Respondent has fully and satisfactorily complied with the following terms and conditions:

- (1) The Respondent's dental office shall be subject to an inspection conducted by a Board-approved inspector, other than the Board expert who conducted the original inspection; and
- (2) If the Respondent passes the inspection, the Respondent may petition the Board to have the suspension of his license lifted. If the Respondent does not pass the inspection, the suspension of his license will continue unless

and until he passes the inspection and successfully petitions the Board to lift the suspension.

**AND IT IS FURTHER ORDERED** that as soon as the Respondent passes the inspection by the Board-approved inspector and successfully petitions the Board to lift the suspension of his license, the Respondent shall be placed on **PROBATION**<sup>2</sup> for a minimum period of **ONE (1) YEAR** and until the following terms and conditions are fully and satisfactorily complied with:

- (1) During the probationary period, the Respondent's dental office shall be subject to three (3) unannounced inspections; and
- (2) During the probationary period, the Respondent shall enroll in and successfully completed a six (6) hour Board-approved CDC course. This course will not be counted toward his continuing education requirements for renewal; and
- (3) A finding of non-compliance with CDC Guidelines by the inspector may constitute a violation of probation and this Order, and may, in the Board's discretion, be grounds for immediate suspension of the Respondent's license and further disciplinary action under the Act.

**AND IT IS FURTHER ORDERED** that after the conclusion of the **ONE (1) YEAR** probationary period, the Respondent may submit a written petition to the Board requesting termination of probation. After consideration of the petition, the probation

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<sup>2</sup> The terms of probation arise from Dr. Tifford's Consent Order executed December 9, 2013 and attached as Exhibit 1.

may be terminated, through an order of the Board, or a designated Board committee. The Board, or designated Board committee, may grant the termination if the Respondent has fully and satisfactorily complied with all of the probationary terms and conditions and there are no pending complaints relating to violations of CDC guidelines; and it is further

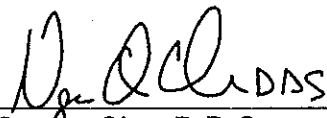
**ORDERED** that if the Respondent violates any of the terms and conditions of this Order, the Board, in its discretion, after notice and an opportunity for an evidentiary hearing if there is a genuine dispute as to the underlying facts, or an opportunity for a show cause hearing before the Board, otherwise 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 Respondent shall practice in accordance with the Maryland Dentistry Act and all applicable laws, statutes and regulations pertaining to the practice of dentistry; and it is further

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

**ORDERED** that this Order is a **PUBLIC DOCUMENT** pursuant to Md. Code Ann., State Gov't, §§ 10-611 *et seq.* (2009 Repl. Vol.).

01/23/2014  
Date

  
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Ngoc Quang Chu, D.D.S.  
President  
MD State Board of Dental Examiners

### **NOTICE OF RIGHT TO HEARING**

The Respondent, John I. Tifford, D.D.S., is entitled to a full evidentiary hearing on these matters, held before the Maryland State Board of Dental Examiners at Spring Grove Hospital Center, Benjamin Rush Building, 55 Wade Avenue, Baltimore, Maryland 21218, following a written request by the Respondent for same within ten days of the date of this Order.