

IN THE MATTER OF * BEFORE THE MARYLAND
BILAL AHMED, D.D.S. * STATE BOARD OF
RESPONDENT * DENTAL EXAMINERS
License Number: 12614 * Case Number: 2016-118

* * * * *

**ORDER FOR SUMMARY SUSPENSION
OF LICENSE TO PRACTICE DENTISTRY**

The Maryland State Board of Dental Examiners (the "Board") hereby **SUMMARILY SUSPENDS** the license of **BILAL AHMED, D.D.S.** (the "Respondent"), License Number 12614, to practice dentistry in the State of Maryland. The Board takes such action pursuant to its authority under: Md. Code Regs. ("COMAR") § 10.44.07.22, determining that there is a substantial likelihood that the Respondent poses a risk of harm to the public health, safety, or welfare; and Md. Code Ann., State Gov't § 10-226(c)(2) (2014 Repl. Vol.), concluding that the public health, safety and welfare imperatively require emergency action.

INVESTIGATIVE FINDINGS

The Board bases its action on the following findings:¹

Background

1. On or about September 22, 2000, the Respondent was initially licensed to practice dentistry in the State of Maryland, under license number 12614. The Respondent's license is current through June 30, 2016.
2. At all times relevant to this Order for Summary Suspension (the "Order"), the Respondent was licensed to practice dentistry in the State of Maryland.

¹ The statements describing the Respondent's conduct are intended to provide the Respondent with notice of the basis of the summary suspension. 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 connection with this matter.

3. The Respondent has also held licenses in the District of Columbia, under license number DEN 1000497, and in the State of Pennsylvania, under license number DS031396L.

4. On or about January 13, 2016, the Board received an email (the "Complaint") from an investigator for the District of Columbia Board of Dentistry (the "DC Board"). The Complaint reported that the Respondent's license to practice dentistry in the District of Columbia had been suspended effective November 19, 2014.

5. Separately, the Complaint also reported that the Respondent had been arrested and was facing criminal charges that on May 21, 2014, he sexually assaulted a patient at his dental practice in the District of Columbia (the "DC Office").

6. The Complaint provided the Board with the contact information for an Assistant United States Attorney (the "AUSA"), who could provide more information about the criminal case.

7. Attached to the Complaint was a newspaper article recounting the Respondent's arrest. According to the article, the Respondent was arrested at Kennedy Airport in New York upon his return to the United States from a recent trip to Pakistan.

8. Based on the Complaint, the Board initiated an investigation.

Felony Charges

9. According to a review of public records, on or about January 28, 2016, the Respondent was charged with two felony counts of First Degree Sexual Abuse of a Patient/Client in the District of Columbia Superior Court.

10. In furtherance of the investigation, the Board's investigator contacted the AUSA, who forwarded additional documents related to the criminal case, including a

warrant for the Respondent's arrest, dated December 23, 2015, issued by the Superior Court of the District of Columbia.

11. According to an affidavit in support of the arrest warrant, on or about the morning of May 21, 2014, an adult male patient (the "Patient") complaining of a cracked tooth appeared for treatment at the Respondent's DC Office. In the course of treatment, the Respondent administered anesthesia in the form of nitrous oxide gas. Approximately two hours later, as the Patient returned to consciousness, the Patient found that his mask was askew and that he was being orally penetrated by the Respondent's penis.

Malpractice

12. The public records for the District of Columbia Superior Court also reveal that the Respondent has been named as a defendant in numerous malpractice actions in the District of Columbia, including those with case numbers listed below:

- (a) 2009 CA 004833 M, filed on July 2, 2009;
- (b) 2010 CA 007840 M, filed on October 18, 2010;
- (c) 2013 CA 002242 M, filed on March 27, 2013;
- (d) 2013 CA 007031 M, filed on October 17, 2013;
- (e) 2013 CA 007822 M, filed on November 20, 2013;
- (f) 2013 CA 007847 M, filed on November 21, 2013;
- (g) 2013 CA 007888 M, filed on November 22, 2013;
- (h) 2014 CA 000700 M, filed on February 5, 2014;
- (i) 2014 CA 002393 M, filed on April 18, 2014;
- (j) 2014 CA 002475 M, filed on April 22, 2014; and
- (k) 2014 CA 004882 M, filed on August 7, 2014.

False Reports to the Board

13. A review of the Respondent's previous applications to the Board revealed that he had supplied false information.

14. On or about February 11, 2013, the Board received the Respondent's 2013 Application for Reinstatement of Expired Dental or Dental Hygiene General or Teacher's License (the 2013 Application). The "Character and Fitness" section of the 2013 Application includes the question, "Have you been named as a defendant in a filing or settlement of a malpractice action?" The Respondent falsely answered this question "NO."

15. In fact, the Respondent was named as a defendant in two (2) malpractice actions, specifically those listed above as (a) and (b).

16. In addition, in 2014, the Respondent filed an online Renewal Application (the 2014 Application). The "Character and Fitness" section of the 2014 Application includes the question, "Have you been named as a defendant in a filing or settlement of a malpractice action?" The Respondent falsely answered no.

17. In fact, during the relevant period, the Respondent was named as a defendant in eight (8) malpractice actions, specifically those listed above as (c), (d), (e), (f), (g), (h), (i), and (j).

18. In addition, the "Character and Fitness" section of the 2014 Application includes the question, "Have any investigations or charges been brought against you or are any currently pending in any jurisdiction, including Maryland, by any licensing or disciplinary board or any federal or state entity?" The Respondent falsely answered no.

19. In fact, during the relevant period, the DC Board brought charges against the Respondent. On or about January 15, 2014, the DC Board issued to the Respondent a Notice of Intent to Take Disciplinary Action (the "DC Charges").²

Reciprocal Discipline

20. As a resolution of the DC Charges, the Respondent entered into a Consent Order (the "DC Consent Order," attached hereto as Attachment 1) with the DC Board, which included disciplinary action against the Respondent's license.

21. The disciplinary terms of the DC Consent Order are summarized below:

- (a) One year suspension of the Respondent's DC license;
- (b) \$5000 fine;
- (c) A practice assessment through the Dentist Professional Review and Evaluation Program ("D-PREP"), including an ethics component;
- (d) In the Board's discretion, following D-PREP, completion of the Professional Problem-Based Ethics ("ProBE") program;
- (e) Completion of all remedial education suggested by D-PREP; and
- (f) Following reinstatement, a period of probation and monitoring not less than two (2) years, with quarterly reports to the DC Board submitted by an approved supervising dentist.

22. The basis for the DC Board's disciplinary action was the Respondent's violations of the laws governing dental practice in the District of Columbia, which included the following conduct:

² The DC Board later issued an Amended Notice of Intent to Take Disciplinary Action. The term "DC Charges" used herein incorporates the DC Board's Amended Notice.

- (a) Submitting false statements to collect fees for which services were not provided or submitted statements to collect fees for services which were not medically necessary;
- (b) Failing to conform to standards of acceptable conduct and prevailing practice within the dental profession;
- (c) Failing to cooperate in an investigation or obstructing an investigation ordered by the DC Board;
- (d) Violating Orders of the DC Board;
- (e) Failing to maintain accurate and adequate records;
- (f) Failing to provide patient records as requested by numerous patients;
- (g) Failing to fully inform patients of a proposed treatment and any reasonable alternatives;
- (h) Representing fees being charged for providing care in a false or misleading manner; and
- (i) Performing unnecessary dental services.

23. If the Respondent's conduct, as summarized above and detailed in the DC Consent Order (Attachment 1), had occurred in Maryland, the conduct would be grounds for disciplinary action under the Board's disciplinary statutes, specifically Health Occ. §4-315 (2) Fraudulently or deceptively uses a license; (3) Obtains a fee by fraud or attempts to obtain a fee by fraud; (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; (20) Violates any rule or regulation adopted by the Board (specifically: COMAR § 10.44.23.01: B. A dentist, dental hygienist, or dental radiation technologist may not engage in unprofessional

or dishonorable conduct; C(2) Engaging in conduct which is unbecoming a member of the dental profession; C(7) Willfully and without legal justification, failing to cooperate with a lawful investigation conducted by the Board; and C(8) Committing any other unprofessional or dishonorable act or omission in the practice of dentistry); (22) Willfully makes or files a false report or record in the practice of dentistry; (33) Fails to comply with any Board order; and (34) Willfully and without legal justification, fails to cooperate with a lawful investigation conducted by the Board.

CONCLUSIONS OF LAW

Based on the foregoing Investigative Findings, and pursuant to its authority under Md. Code Ann., State Gov't § 10-226(c)(2) (2014 Repl. Vol.), the Board concludes that the public health, safety, and welfare imperatively require this emergency action of summary suspension. In addition, pursuant to COMAR § 10.44.07.22, the Board concludes that there is a substantial likelihood that the Respondent poses a risk of harm to the public health, safety, or welfare.

ORDER

Based on the foregoing, it is this 26th day of February, 2016, by the Board hereby:


ORDERED that the Respondent's license to practice dentistry in the State of Maryland, under License Number 12614, is hereby **SUMMARILY SUSPENDED**; and it is further

ORDERED that upon the Board's receipt of a written request from the Respondent, a Show Cause Hearing shall be scheduled at the Board's next regularly scheduled meeting, not to exceed thirty (30) days from the Board's receipt, at which the Respondent will be given an opportunity to be heard as to why the Order the Summary Suspension should not continue; and it is further

ORDERED that if the Respondent fails to request a Show Cause Hearing or files a written request for a Show Cause Hearing and fails to appear, the Board shall uphold and continue the Summary Suspension; and it is further

ORDERED that upon service of this Order for Summary Suspension, the Respondent shall immediately surrender to the Board all indicia of licensure to practice dentistry issued by the Board that are in his possession, including but not limited to the original license, renewal certificates and wallet size license; and it is further

ORDERED that this document constitutes an Order of the Board and is therefore a public document for purposes of public disclosure, as required by Md. Code Ann., General Provisions, §§ 4-101 through 4-601 (Repl. Vol. 2014).



Ronald F. Moser, D.D.S., President
Maryland State Board of Dental Examiners

NOTICE OF HEARING

Following the Board's receipt of a written request for hearing filed by the Respondent, a Show Cause Hearing will be held at the offices of the Maryland Board of Dental Examiners, Spring Grove Hospital Center, Benjamin Rush Building, 55 Wade Avenue, Catonsville, Maryland 21228. The Show Cause Hearing will be scheduled for the Board's next regularly scheduled meeting, not to exceed thirty (30) days.

At the conclusion of the Show Cause Hearing held before the Board, the Respondent, if dissatisfied with the result of the hearing, may, within ten (10) days, file a written request an evidentiary hearing. Unless otherwise agreed to by the parties, the Board shall provide a hearing within forty-five (45) days of the Respondent's written

request. The Board shall conduct an evidentiary hearing under the contested case provisions of Md. Code Ann., State Gov't §§ 10-210 *et seq.*