

IN THE MATTER OF
BILAL AHMED, D.D.S.
RESPONDENT

License Number: 12614

* BEFORE THE MARYLAND
* STATE BOARD OF
* DENTAL EXAMINERS
* Case Number: 2016-118

FINAL ORDER

On or about February 26, 2016, the Maryland State Board of Dental Examiners (the "Board") notified **BILAL AHMED, D.D.S.** (the "Respondent") of its **INTENT TO REVOKE** his license to practice dentistry in the State of Maryland (the "charges"), license number 12614. In addition, on or about February 26, 2016, the Board issued an Order for Summary Suspension of the Respondent's license.

The Board based its charges on the provisions of the Maryland Dentistry Act (the "Act"), codified at Md. Code Ann., Health Occ. I ("H.O.") §§ 4-101 et seq. (2014 Repl. Vol) and the regulations adopted by the Board at Md. Code Regs. ("COMAR") §§ 10.44.01 et seq.

Specifically, the Board charged that the Respondent had violated the following provisions of the Act:

H.O. § 4-315

(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:

- (1) Fraudulently or deceptively obtains or attempts to obtain a license for the applicant or licensee or for another;
- (2) Fraudulently or deceptively uses a license;
- (7) Has had a license to practice dentistry revoked or suspended in any other state;

- (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;
- (21) Is disciplined by a licensing or disciplinary authority of any other state or country or convicted or disciplined by a court of any state or country for an act that would be grounds for disciplinary action under the Board's disciplinary statutes;
- (22) Willfully makes or files a false report or record in the practice of dentistry;

Pursuant to H. O. §4-315(a)(20), the Board charged that the Respondent had violated the following provisions of 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(8) Committing any other unprofessional or dishonorable act or omission in the practice of dentistry

Along with the charges, in accordance with the Administrative Procedure Act, Md. Code Ann., State Gov't. §§ 10-201 et seq. (2014), the Board notified the Respondent of his opportunity to request a hearing within thirty days of service before the Board made a final decision in this case. 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.

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 Notice, the Respondent was licensed to practice dentistry in the State of Maryland, with the exception that the Respondent allowed his license to expire in approximately June, 2012. His license was reinstated in approximately April, 2013.

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.

Board Investigation

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").¹

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:

¹ 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 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:

The Respondent's provision of false answers on the 2013 Application and the 2014 Application constitutes: fraudulently or deceptively attempting to obtain a license, in violation of H. O. §4-315(a)(1); fraudulently using a license, in violation of H. O. §4-315(a)(2); behaving dishonorably and unprofessionally, in violation of H. O. § 4-315(a)(16); violating a rule or regulation adopted by the Board, in violation of H. O. § 4-315(a)(20), specifically COMAR § 10.44.23.01B, C(2), and C(8); and willfully making a false report in the practice of dentistry, in violation of H. O. § 4-315(a)(22).

The Respondent's receipt of discipline by the DC Board constitutes being disciplined by a licensing or disciplinary authority of any other state for conduct that would be grounds for disciplinary action under the Board's disciplinary statutes, in violation of H.O. § 4-315(a)(21).

The Respondent's suspension by the DC Board constitutes having had a license to practice dentistry revoked or suspended in any other state, in violation of H. O. § 4-315(a)(7).

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 12614, is hereby **PERMANENTLY 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).

04/06/2016

Date



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