

DEBRA S. STOLL, R.D.H.
1587 Dorset Road
Powhatan, Virginia 23139

Arthur C. Jee, D.M.D.
Board President
Maryland State Board of Dental Examiners
55 Wade Avenue/Tulip Drive
Catonsville, Maryland 21613

RE: SURRENDER OF LICENSE
License Number: 5320
Case Number: 2016-063

Dear Dr. Jee and Members of the Board:

Please be advised that I have decided to **SURRENDER** my license to practice dental hygiene in the State of Maryland, License Number 5320, effective upon the execution of this letter by the Board President. I understand that upon the Board's acceptance of this letter of surrender, I may not represent myself to the public by title, description of services, methods, procedures, or otherwise that I am a licensed dental hygienist in Maryland. Moreover, I may not practice dental hygiene in the State of Maryland as it is defined in the Maryland Dentistry Act (the "Act"), Md. Code Ann., Health Occ. I ("Health Occ. I") § 4-101(k) (2014 Repl. Vol.).

I understand that upon the Board's acceptance, this Letter of Surrender becomes a **FINAL ORDER** of the Board. I understand that the surrender of my license means that I am in the same position as an unlicensed individual.

My decision to surrender my license to practice dental hygiene in Maryland was prompted by the Maryland State Board of Dental Examiners' (the "Board's") investigation of my license and its subsequent issuance of a *Notice of Intent to Revoke Licensure* (the "Notice"), dated September 20, 2017. The Board based its Notice on grounds that I violated the following provisions of the Act: fraudulently or deceptively obtains or attempts to obtain a license for the applicant or licensee or for another, in violation of Health Occ. I § 4-315(b)(1); fraudulently or deceptively uses a license, in violation of § 4-315(b)(2); behaving unprofessionally or in a grossly immoral way, or violates a professional code of ethics pertaining to the dental hygiene profession, in violation of § 4-315(b)(3); is disciplined by a licensing or disciplinary authority of any other state or country, 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, in violation of § 4-315(b)(6); violates any rule or regulation adopted by the Board, in violation of § 4-315(b)(9); is convicted of or pleads guilty or nolo contendere to a felony or to a crime involving moral turpitude, whether or not any appeal or other proceeding is pending to have the conviction or plea set aside, in violation of § 4-315(b)(13); and

willfully makes or files a false report or record in the practice of dental hygiene, in violation of § 4-315(b)(15). **A copy of the Notice is attached hereto and incorporated herein.**

The Board's investigation found that I: forged one narcotic prescription for Percocet from my employer in July 2014; pleaded guilty to and was convicted of felony theft in the District Court of Maryland for Anne Arundel County on August 24, 2014; was denied reinstatement of my dental hygienist license in Virginia by an order, dated May 23, 2017; and failed to disclose in my 2014 renewal application with the Board that I receive probation before judgment for a misdemeanor theft in the District Court of Maryland for Anne Arundel County on November 9, 2012.

I have decided to surrender my license to avoid prosecution of these disciplinary charges. I acknowledge that if the Board were to proceed with an evidentiary hearing in this matter, the State would be able to prove by a preponderance of the evidence that I violated the foregoing provisions of the Act. I acknowledge for all purposes relevant to my licensure, that the allegations of fact contained in the Notice against me will be treated as proven.

I wish to state clearly that I have voluntarily, knowingly, and freely chosen to submit this Letter of Surrender. I understand that by signing of this Letter of Surrender, I am waiving the right to contest the Notice in a formal evidentiary hearing at which I would have 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 law, including the right to appeal.

I acknowledge that upon the execution of this Letter of Surrender, I shall surrender to the Board any indicia of Maryland dental hygienist license that is in my possession, including my Maryland dental hygienist license, number 5320, any wall certificate, renewal certificates and wallet-sized renewal cards. I understand that the Board will advise the National Practitioner Data Bank of this Letter of Surrender, and in any response to inquiry, that I have surrendered my license in lieu of disciplinary action under the Act as resolution of the matters pending against me. I also understand that in the event I should apply for licensure in any form in any other state or jurisdiction, that this Letter of Surrender, and all underlying documents, may be released or published by the Board to the same extent as a final order that would result from disciplinary action pursuant to Md. Code Ann., General Prov. §§ 4-101 *et seq.* (2014).

I further recognize and agree that by submitting this Letter of Surrender, my license in Maryland will remain surrendered for a minimum of three (3) years pursuant to Md. Code Regs. 10.44.07.01 and until such time as I apply for reinstatement and comply with the terms and conditions set forth in this letter and those determined by the Board.

I also understand that if I apply for reinstatement in Maryland or for a new Maryland license that I bear the burden of demonstrating to the Board that I am

professionally and mentally competent to practice dental hygiene under the Act and that I possess good moral character, as required under Health Occ. I § 4-302(b). I understand that when applying for reinstatement, my petition may be accepted or denied by the Board in its sole discretion without a hearing.

I acknowledge that I may not rescind this Letter of Surrender in part or in its entirety for any reason whatsoever. I understand the nature and effect of both the Board's actions and this Letter of Surrender fully. I acknowledge that I understand the language, meaning, terms, and effect of this Letter of Surrender. I acknowledge that I had the opportunity but elected not to consult with an attorney before signing this Letter of Surrender, and I make this decision knowingly and voluntarily and without any duress.

Sincerely yours,

February 22, 2018
Date

Debra S. Stoll
Debra S. Stoll

NOTARY PUBLIC

STATE OF Virginia

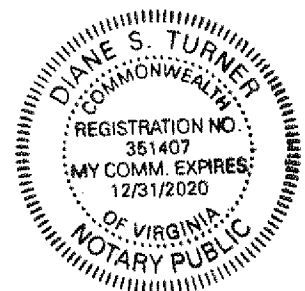
CITY/COUNTY OF Chesterfield

I HEREBY CERTIFY that on this 22nd day of February, 2018, before me, a Notary Public of the State and City/County aforesaid, personally appear Debra S. Stoll, and declared and affirmed under the penalties of perjury that signing the foregoing Letter of Surrender was her voluntary act and deed.

AS WITNESS my hand and Notarial seal.

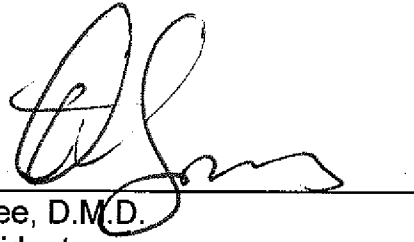
Diane S. Turner
Notary Public

My Commission expires: 12/31/2020



ACCEPTANCE

On this 7th day of March, 2018, I, Arthur C. Jee, D.M.D., on behalf of the Maryland State Board of Dental Examiners, accept Debra S. Stoll's **PUBLIC SURRENDER** of her license to practice dental hygiene in the State of Maryland.



Arthur C. Jee, D.M.D.
Board President
Maryland State Board of Dental Examiners

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|------------------------|---|-----------------------|
| IN THE MATTER OF | * | BEFORE THE MARYLAND |
| DEBRA S. STOLL, R.D.H. | * | STATE BOARD OF |
| Respondent | * | DENTAL EXAMINERS |
| License Number: 5320 | * | Case Number: 2016-063 |
| * * * * * | * | * * * * * |

NOTICE OF INTENT TO REVOKE LICENSURE

The Maryland State Board of Dental Examiners (the "Board") hereby notifies **DEBRA S. STOLL, R.D.H.** (Registered Dental Hygienist) (the "Respondent"), License Number 5320, of the Board's intent to revoke her license to practice dental hygiene in the State of Maryland under the Maryland Dentistry Act (the "Act"), codified at Md. Code Ann., Health Occ. I ("Health Occ. I") §§ 4-101 *et seq.* (2014 Repl. Vol.).

The Board bases its action on the following provisions of the Act and Md. Code Regs. ("COMAR") 10.44.23.01:

Health Occ. I § 4-315. Denials, reprimands, probations, suspensions, and revocations – Grounds.

- (b) *License to practice dental hygiene.* – Subject to the hearing provisions of § 4-318 of this subtitle, the Board may . . . reprimand any licensed dental hygienist, place any licensed dental hygienist on probation, or suspend or revoke the license of any licensed dental hygienist, 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;
 - (3) Behaves unprofessionally or in a grossly immoral way, or violates a professional code of ethics pertaining to the dental hygiene profession;
 - (6) 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;¹

- (9) Violates any rule or regulation adopted by the Board;
- (13) Is convicted of or pleads guilty or nolo contendere to a felony or to a crime involving moral turpitude, whether or not any appeal or other proceeding is pending to have the conviction or plea set aside; [and]
- (15) Willfully makes or files a false report or record in the practice of dental hygiene[.]

COMAR 10.44.23.01. Unprofessional or Dishonorable Conduct.

- B. A dentist, dental hygienist, or dental radiation technologist may not engage in unprofessional or dishonorable conduct.
- C. 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; [and]
 - (8) Committing any other unprofessional or dishonorable act or omission in the practice of dentistry, dental hygiene, or dental radiation technology.

ALLEGATIONS OF FACT²

The Board bases its action on the following facts that the Board has reason to believe are true:

¹ The underlying grounds for disciplinary action under the Board's disciplinary statutes include Health Occ. I § 4-315(b)(1), (2), (3), (6), (9), (10), (13) and (15) and COMAR 10.44.23.01B, C(2) and (8).

² The statements of the Respondent's conduct with respect to the matters identified herein are intended to provide the Respondent with notice of the Board's action. They are not intended as, and do not necessarily represent, a complete description of the evidence, either testimonial or documentary, to be offered against the Respondent in connection with this matter.

I. BACKGROUND

1. The Board initially issued the Respondent a license to practice dental hygiene in the State of Maryland on June 16, 2004, under License Number 5320. The Respondent did not file a renewal of her dental hygiene license in 2016. As a result, the Respondent's dental hygiene license expired, effective June 30, 2016.

2. The Respondent held a license to practice dental hygiene in the Commonwealth of Virginia under License Number 0402-004332, which expired on March 31, 2012.

3. On or about October 13, 2015, the Board received a complaint from a Maryland licensed dentist (the "Complainant")³ who alleged that the Respondent, while employed by the Complainant to perform dental hygiene at the Complainant's dental practice ("Practice A"), forged prescriptions for narcotic medications without her knowledge. The Complainant stated that after speaking with the Respondent about the forged prescriptions, she allowed the Respondent to maintain her employment on the condition that she enroll in the Dental Hygiene Well-Being Program. The Complainant stated the Respondent complied with the program for several months but began abusing drugs again. On or about March 27, 2015, the Respondent resigned from Practice A after failing a drug test.

4. After receiving the complaint, the Board initiated an investigation of the Respondent.

³ To ensure confidentiality, the names of individuals, hospitals and healthcare facilities involved in this case are not disclosed in this document. The Respondent may obtain the identity of the referenced individuals or entities in this document by contacting the administrative prosecutor.

II. BOARD INVESTIGATION

A. **Forgery of Narcotic Prescription**

5. As part of the Board investigation, Board investigators interviewed the Complainant and her staff members, and obtained documents from Practice A, including the forged prescriptions.

6. Board investigation revealed that in or around July 2014, a staff member at Practice A discovered an electronic prescription, dated July 31, 2014, issued to the Respondent for Percocet 5/325 mg (#20) purportedly prescribed by the Complainant left on an office printer. The office staff member brought the electronic prescription to the Complainant's attention, who verified that she did not issue the narcotic prescription to the Respondent.

7. The Complainant contacted a local pharmacist who confirmed that the Respondent had filled a similar fraudulent prescription for Percocet 5/325 mg (#20), dated July 29, 2014, purportedly from the Complainant to the Respondent. The pharmacist further stated that the Respondent was filling narcotic prescriptions from other medical providers on average of five to six times per month.

8. Practice A's office manager stated to Board investigators that he spoke with the Respondent, who initially denied forging prescriptions but later admitted to being addicted to prescription pain medications.

B. **Criminal History**

9. In the course of its investigation, the Board conducted a search to determine if the Respondent had a criminal history. Board investigation revealed that

the Respondent was found guilty of two theft charges in 2012 and 2015, which she willfully failed to disclose to the Board on any of her renewal applications as required.

10. Court records from the District Court for Maryland for Anne Arundel County showed that on November 9, 2012, in Case Number 4A00249827, captioned *State of Maryland v. Debra Suzanne Stoll*, the Court granted the Respondent probation before judgment on the charge of Theft Less than \$1,000 in Value, in violation of Md. Code Ann., Crim. Law ("Crim. Law") § 7-104. The Court placed the Respondent on supervised probation for one year.

11. Court records further showed that on or about August 24, 2014, the Respondent was charged in the District Court of Maryland for Anne Arundel County, Case Number 2A00291055, captioned *State of Maryland v. Debra Suzanne Stoll*, with one count of Theft between \$1,000 to \$10,000 in Value and one count of Theft Less than \$1,000 in Value, in violation of Crim. Law § 7-104.

12. The Application for Statement of Charges stated that on or about July 11, 2014, and July 13, 2014, the Respondent pawned two snowboards that were reported stolen by their owner.

13. On or about April 24, 2015, the Respondent appeared in the District Court of Maryland for Anne Arundel County and pleaded guilty to the charge of Theft between \$1,000 and \$10,000 in Value. The Court entered a verdict of guilty and sentenced the Respondent to three years of incarceration, all of which were suspended, and one year of supervised probation.

C. Disciplinary Action in Virginia

14. On or about April 10, 2017, a Board investigator discovered that the Respondent had a pending disciplinary case before the Virginia Board of Dentistry (the "Virginia Board").

15. On or about May 30, 2017, the Board received an order (the "Virginia Order") from the Virginia Board, dated May 23, 2017, denying the Respondent's Application for Reinstatement of her dental hygienist license in Virginia.

16. In the Virginia Order, the Virginia Board made Findings of Fact that included but were not limited to:

- a. On or about April 24, 2015, the Respondent was found guilty of theft of two snowboards valued at \$1,000 to under \$10,000, a felony, in the District Court of Maryland for Anne Arundel County. The Court sentenced her to three years of incarceration, all suspended, and placed her one-year supervised probation.
- b. On or about June 20, 2012, the Respondent was pleaded guilty to and was found guilty of petit larceny, a crime involving moral turpitude, in the Juvenile and Domestic Relations District Court, Chesterfield County, Virginia, for stealing Percocet pills valued at less than two hundred dollars. The Court sentence her to 12 months in jail with all but four days suspended.
- c. The Respondent practiced as a dental hygienist in Virginia from on or about April 23, 2015, to on or about July 1, 2015, without possessing a current, active and valid license.
- d. The Respondent made false statements or material misrepresentations in her Reinstatement Application to the Virginia Board, dated June 17, 2015, when she answered "No" to the questions of: whether she: practiced dental hygiene in Virginia since the expiration of her license on April 23, 2015; and was ever convicted of any state statute relating to a felony or misdemeanor.

- e. The Respondent made further false statements or material misrepresentations in her Reinstatement Application when she answered "No" the questions of whether she: ever received treatment for a nervous, emotional or mental disorder; and had a physical disability, disease or diagnosis that could affect her performance of professional duties within the last five years. The Respondent admitted during the Virginia investigation that she received psychiatric care and ongoing treatment for panic attack, depression and anxiety disorder beginning in 2003.
- f. The Respondent was unsafe to practice dental hygiene due to her substance abuse/dependency, and mental incompetence/ mental illness.
- g. By the Respondent's own admission, in or around 2015, she presented her employer a copy of her Virginia dental hygiene license on which she altered the expiration date from "2012" to "2016."
- h. By the Respondent's own admission, in or around July 2014 she forged the signature of her employer on at least one prescription for Percocet and for an antibiotic for her personal and unauthorized use.

D. 2014 Renewal Application

17. In or around mid-2014, the Respondent filed a license renewal application (the "2014 Renewal") with the Board.

18. Under the Character and Fitness section, which pertained to the period starting July 1, 2012, and ending June 30, 2014, the Respondent answered "N" for no to the following question:

- 6. Have you pled guilty, nolo contendere, had a conviction or receipt of probation before judgment or other diversionary disposition of any criminal act, excluding minor traffic violations?

19. The Respondent willfully failed to disclose that on November 9, 2012, in Case Number 4A00249827, captioned *State of Maryland v. Debra Suzanne Stoll*, the

Court granted the Respondent probation before judgment on the charge of Theft Less than \$1,000 in Value, in violation of Md. Code Ann., Crim. Law ("Crim. Law") § 7-104.

GROUND FOR DISCIPLINE

20. The Respondent's forging of electronic prescriptions, dated July 29, 2014, and July 31, 2014, issued to the Respondent for Percocet 5/325 mg (#20), without the Complainant's authorization constitutes, in whole or in part: fraudulently or deceptively using a license, in violation of Health Occ. I § 4-315(b)(2); behaving unprofessionally or in a grossly immoral way, or violating a professional code of ethics pertaining to the dental hygiene profession, in violation of § 4-315(b)(3); violating any rule or regulation adopted by the Board, *i.e.* COMAR 10.44.23.01B, C(2) and C(8), in violation of § 4-315(b)(9); and willfully making or filing a false report or record in the practice of dental hygiene, in violation of § 4-315(b)(15).

21. The Respondent's plea of guilty to and conviction for Theft between \$1,000 and \$10,000 in value, in violation of Crim. Law § 7-104, constitute, in whole or in part: behaving unprofessionally or in a grossly immoral way, or violating a professional code of ethics pertaining to the dental hygiene profession, in violation of § 4-315(b)(3); violating any rule or regulation adopted by the Board, *i.e.* COMAR 10.44.23.01B, C(2) and C(8), in violation of § 4-315(b)(9); and being convicted of or pleading guilty to a felony and a crime involving moral turpitude, in violation of § 4-315(b)(13).

22. The Virginia Board's denial of the Respondent's Application for Reinstatement pursuant to the Virginia Order constitutes, in whole or in part: being disciplined by a licensing or disciplinary authority of any state for an act that would be

grounds for disciplinary action under the Board's disciplinary statutes, in violation of § 4-315(b)(6).⁴

23. The Respondent's willful failure to disclose in her 2014 Renewal that she received probation for judgment on the charge of Theft Less Than \$1,000 in the District Court of Maryland for Anne Arundel County on November 9, 2012, constitutes, in whole or in part:): behaving unprofessionally or in a grossly immoral way, or violating a professional code of ethics pertaining to the dental hygiene profession, in violation of § 4-315(b)(3); violating any rule or regulation adopted by the Board, *i.e.* COMAR 10.44.23.01B, C(2) and C(8), in violation of § 4-315(b)(9); and willfully making or filing a false report or record in the practice of dental hygiene, in violation of § 4-315(b)(15).

NOTICE OF POSSIBLE SANCTIONS

If, after a hearing, the Board finds that there are grounds for action against the Respondent under Health Occ. I §§ 4-315(b)(1), (2), (3), (6), (9), (13) and/or (15) and/or COMAR 10.44.23.01B, C(2) and/or C(8), the Board may impose disciplinary sanctions against the Respondent in accordance with the Board's regulations under COMAR 10.44.31.01 *et seq.*, including reprimanding the Respondent, placing the Respondent on probation, or suspending or revoking the Respondent's license, and may impose a monetary penalty.

NOTICE OF AN OPPORTUNITY FOR A HEARING

In accordance with the Administrative Procedure Act, Md. Code Ann., State Gov't. II §§ 10-201 *et seq.* (2014 Repl. Vol.), the Board hereby notifies the Respondent

⁴ The underlying grounds for disciplinary action under the Board's disciplinary statutes include Health Occ. I § 4-315(b)(1), (2), (3), (6), (9), (10), (13) and (15) and COMAR 10.44.23.01B, C(2) and (8).

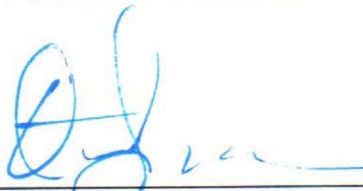
of her opportunity for a hearing before the Board makes a final decision in this case. The Respondent must request a hearing **WITHIN THIRTY (30) DAYS** of service of this notice. The request for a hearing must be made in writing to:

Tony W. Torain, J.D.
Executive Director
Maryland State Board of Dental Examiners
SPRING GROVE HOSPITAL CENTER
Benjamin Rush Building
55 Wade Ave/Tulip Dr
Catonsville, Maryland 21228
Phone: (410) 402-8500

If a request for a hearing is made, the Board will schedule a Case Resolution Conference and a hearing, and the Respondent will be notified of the scheduled dates.

If the Board does not receive a written request for a hearing within **thirty (30) days** of service of this notice, the Board will sign the attached Final Order.

09/20/2017
Date



Arthur C. Jee, D.M.D.
President
Maryland State Board of Dental Examiners