

<p>IN THE MATTER OF</p> <p>VIJAYALAKSHMI N. JESSON, D.D.S.</p> <p style="text-align: center;">Respondent</p> <p>License Number: 12246</p>	<p>*</p> <p>*</p> <p>*</p> <p>*</p>	<p>BEFORE THE MARYLAND</p> <p>STATE BOARD OF</p> <p>DENTAL EXAMINERS</p> <p>Case Number: 2019-032¹</p>
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**ORDER FOR SUMMARY SUSPENSION OF
LICENSE TO PRACTICE DENTISTRY**

The Maryland State Board of Dental Examiners (the "Board") hereby **SUMMARILY SUSPENDS** the license of **VIJAYALAKSHMI N. JESSON, D.D.S.** (the "Respondent"), License Number 12246, to practice dentistry in the State of Maryland. The Board takes such action pursuant to its authority under Md. Code Ann., State Gov't ("State Gov't") § 10-226(c) (2014 Repl. Vol.), finding that the public health, safety, or welfare imperatively requires emergency action, and COMAR 10.44.07.22, finding a substantial likelihood that the Respondent poses a risk of harm to the public health, safety, or welfare.

INVESTIGATIVE FINDINGS

The Board bases its action of the following findings:²

¹ The allegations set forth in this order are strictly limited to the Board's investigation with respect to the Respondent's compliance with Centers for Disease Control and Prevention ("CDC") Guidelines in her dental practice. Case Number 2019-032 may include non-CDC related issues that the Board continues to investigate. The Board is not foreclosed from later bringing additional disciplinary charges against the Respondent.

² The statements regarding the Respondent's conduct are intended to provide the Respondent with notice of the basis of the 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.

I. LICENSING BACKGROUND

1. At all times relevant, the Respondent was and is licensed to practice dentistry in the State of Maryland. The Respondent was originally licensed to practice dentistry in Maryland on September 14, 1998, under License Number 12246. The Respondent's license is current through June 30, 2020.

2. At all times relevant, the Respondent practiced general dentistry at Convenient Dental Care (the "Dental Office"), 1726 North Rolling Road, Baltimore, Maryland 21244.

3. On or about August 27, 2018, the Board received a complaint from a patient (the "Patient"), who alleged, among other issues, that the Respondent's Dental Office and dental instruments were not clean.

4. Based on the complaint, the Board initiated an investigation of the Respondent and her Dental Office.

II. INFECTION CONTROL INSPECTION

5. Due to allegations in the complaint of unsanitary conditions at the Respondent's Dental Office, on or about September 7, 2018, a Board-contracted infection control expert (the "Board Inspector") and a Board investigator visited the Respondent's Dental Office for the purpose of conducting an infection control inspection.

6. The Board Inspector and the Board investigator arrived at the Respondent's Dental Office at approximate 9:30 a.m. Initially, they noticed patients present waiting to be seen. The Board Investigator noticed a stack of name cards at the front desk identified

the Respondent as “Dr. Viji Jesson (Viji).” They introduced themselves and met the Respondent in a rear staff area, where they explained the purpose of their visit.

7. Through their conversation with the Respondent, the Board Inspector and Board Investigator learned that another dentist (“Dentist A”), who contracted with the Respondent to provide dental services at the Dental Office once a week, was supposed to treat patients that day. The Respondent was able to identify Dentist A, who was then leaving the Dental Office through the rear door.

8. The Board Investigator looked for Dentist A and found him in the front parking lot waiting in a vehicle. Dentist A waited for approximately twenty minutes before the Board Investigator approached him. The Board Investigator asked Dentist A whether he was scheduled to treat patients at the Dental Office that day, which he affirmed.

9. In the meantime, the Board Inspector requested the Respondent to provide the Dental Office’s policies, manuals, training logs and maintenance logs relating to CDC compliance, which the Respondent was unable to produce. The Respondent stated that all the paperwork for the Dental Practice was with a consultant for update.

10. Prior to the inspection, the Board Inspector noted the following individuals present: the Respondent, Dentist A, a receptionist, a dental assistant (the “Dental Assistant”) and patients. The layout of the Dental Practice consisted of a receptionist/waiting area with a long hallway to the left side leading to three treatment operatories to the right. At the end of the hall way was the instrument processing and

sterilization area. A restroom was located in the rear of the Dental Practice along with a rear exit. A panoramic imaging unit was located adjacent to one of the operatories.

11. As part of the inspection, the Board Inspector utilized the Centers for Disease Control and Prevention Infection Prevention Checklist for Dental Settings.

12. During the inspection, the Board Inspector was able to directly observe patient treatment by Dentist A and the Dental Assistant.

13. At the time of the inspection, the Respondent was unable to produce the following documents relating to policies and procedures: practice policy manual, infection prevention education and training, dental health care personnel safety, program evaluation, hand hygiene, personal protective equipment (“PPE”), respiratory hygiene/cough etiquette, sharps safety, safe injection practices, sterilization and disinfection of patient care items, environmental infection prevention and control, and dental water unit quality. The Respondent provided the above-requested documents by the end of the day on September 7, 2018, and September 10, 2018.

14. During the inspection, the Board Inspector found the following CDC violations:

- a. Failure to perform hand hygiene correctly – Dentist A and Dental Assistant were inconsistent as to washing hands or using hand sanitizer after removing gloves.
- b. Failure to display Hand Hygiene Protocol Posting.
- c. Failure to have available surgical gloves for surgical procedures and the use of dental mask for multiple procedures.

- d. Failure to identify as to load or date of process sterilization of patient care instruments.
- e. Failure to follow "Single Loop" sequence for instrument processing.
- f. Incorrect use of disinfectant after patient treatment.
- g. Inconsistent use of barriers on SVE/HVE and A/W syringe.
- h. Incorrect management of self-contained water container – Bottle was rinsed with water from municipal faucet and not treated with tablets prior to refill.
- i. Failure to display "Cover Your Cough" and "We Take Precautions for You" posters.
- j. Failure to provide hand sanitizer and tissues in patient reception area.
- k. Failure to maintain log for emergency eye wash.

12. Based on her observations and inspection, the Board Inspector determined that the Respondent's practice of dentistry in the Dental Practice under the current operating conditions posed a risk of cross contamination and patient/staff safety.

CONCLUSIONS OF LAW

Based on the foregoing investigative findings, the Board concludes as a matter of law that there is a substantial likelihood that the Respondent poses a risk of harm to the public health, safety and welfare, which imperatively requires the immediate suspension of her license, pursuant to State Gov't § 10-226(c)(2) (2014 Repl. Vol.).

ORDER

Based on the foregoing investigative findings, it is, by a majority of a quorum of the Board considering this case, pursuant to authority granted to the Board by State Gov't § 10-226(c)(2) (2014 Repl. Vol.):

ORDERED that the Respondent's license to practice dentistry in the State of Maryland, License Number 12246, is hereby **SUMMARILY SUSPENDED**; and it is further

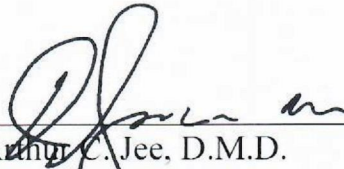
ORDERED that upon the Board's receipt of a written request from the Respondent, a Show Cause Hearing shall be scheduled at the Board's next regularly scheduled meeting but not to exceed thirty (30) days from the date of the Respondent's request, at which the Respondent will be given an opportunity to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

ORDERED that if the Respondent files a written request for a Show Cause Hearing but fails to appear, the Board shall uphold and continue the Summary Suspension of his license; 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 her possession, including but not limited to her 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., Gen. Provisions §§ 4-101 *et seq.* (2014).

October 19, 2018
Date



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

NOTICE OF HEARING

Upon the Board's receipt of a written request from the Respondent, a Show Cause Hearing will be held at the offices of the Maryland State 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 but not to exceed thirty (30) days from the Board's receipt of a written request for a hearing filed by the Respondent.

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 for 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 State Gov't §§ 10-201 *et seq.* (2014 Repl. Vol.).