

IN THE MATTER OF	*	BEFORE THE MARYLAND
DEREK A. CURTIS, D.D.S.	*	STATE BOARD OF
Respondent	*	DENTAL EXAMINERS
LICENSE NO. 5564	*	Case No. 2004-272

* * * * *

ORDER OF REVOCATION OF LICENSE TO PRACTICE DENTISTRY

The Maryland State Board of Dental Examiners (the "Board") hereby **REVOKES** the license to practice dentistry of DEREK A. CURTIS, D.D.S. ("Respondent"), License No. 5564, pursuant to Md. State Govt. Code Ann. ("S.G.") § 10-226(c)(1) (2004) and the Maryland Dentistry Act (the "Act"), Md. Health Occ. ("H.O.") Code Ann. §§ 4-101, *et seq.* (2005 & Supp. 2006). The pertinent provisions of the Act, § 4-315(a) under which this Order is based is as follows:

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:

(4) 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.

HISTORICAL BACKGROUND

1. At all times relevant hereto, the Respondent was licensed to practice dentistry in Maryland, initially receiving his license on January 24, 1974.
2. On or about October 11, 2004, the Board summarily suspended the Respondent's license to practice dentistry based on, among other things, the fact that the Respondent

was distributing controlled dangerous substances, including cocaine to his patients and to others. (*Order for Summary Suspension, attached hereto and incorporated herein as Exhibit A.*)

3. The Respondent did not contest the Order for Summary Suspension.

4. The Respondent's license to practice dentistry in the State of Maryland has remained Summarily Suspended since October 11, 2004.

FINDINGS OF FACT

5. On or about December 5, 2005, the Grand Jury of In the United States District Court for the District of Maryland issued a sixteen (16) count Indictment against the Respondent for violations of Conspiracy to Distribute Schedule II Controlled Substances, in violation of 21 U.S.C. § 846 and Distribution of Cocaine, in violation of 21 U.S.C. § 841 and 18 U.S.C. § 2. (*Copy of the Indictment is attached hereto and incorporated herein as Exhibit B.*)

6. On or about February 21, 2007, the Respondent pled guilty before Judge Deborah K. Chasanow to Count (1) (did intentionally and unlawfully combine, conspire, confederate and agree with others known and unknown to the United States Attorney to unlawfully distribute, dispense and possess with the intent to distribute Schedule II controlled substances to wit: Oxycodone and Cocaine) in violation of 21 U.S.C. § 846 and to Count (11) (did knowingly, intentionally and unlawfully distribute a mixture or substance containing a detectable amount of cocaine, a Schedule II controlled substance) in violation of 21 U.S.C. § 841 and 18 U.S.C. § 2. The Respondent was adjudged guilty of the offenses as pled. (*Copy of the Judgment is attached hereto and incorporated herein as Exhibit C.*)



7. Judge Chasnow sentenced the Respondent to sixty-three (63) months incarceration, concurrent on Counts (1) and (11), and recommended that the Respondent participate in a substance abuse program, and particularly, due to his serious prior addiction, that he participate in the RDAP program prior to release. Upon release, the Respondent was sentenced to three (3) years of supervised release with numerous conditions and restrictions.

8. The crimes for which the Respondent was convicted are felonies.

CONCLUSION OF LAW

Based on the foregoing Findings of Fact, the Board concludes, as a matter of law, that the Respondent violated H.O. § 4-315(a)(4) which provides:

(4) 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.

ORDER


Based on the foregoing Historical Background, Findings of Fact and Conclusions of Law, it is by the Maryland State Board of Dental Examiners hereby:

ORDERED that the Respondent's license to practice dentistry in the State of Maryland be and is hereby **REVOKED**; and it is further

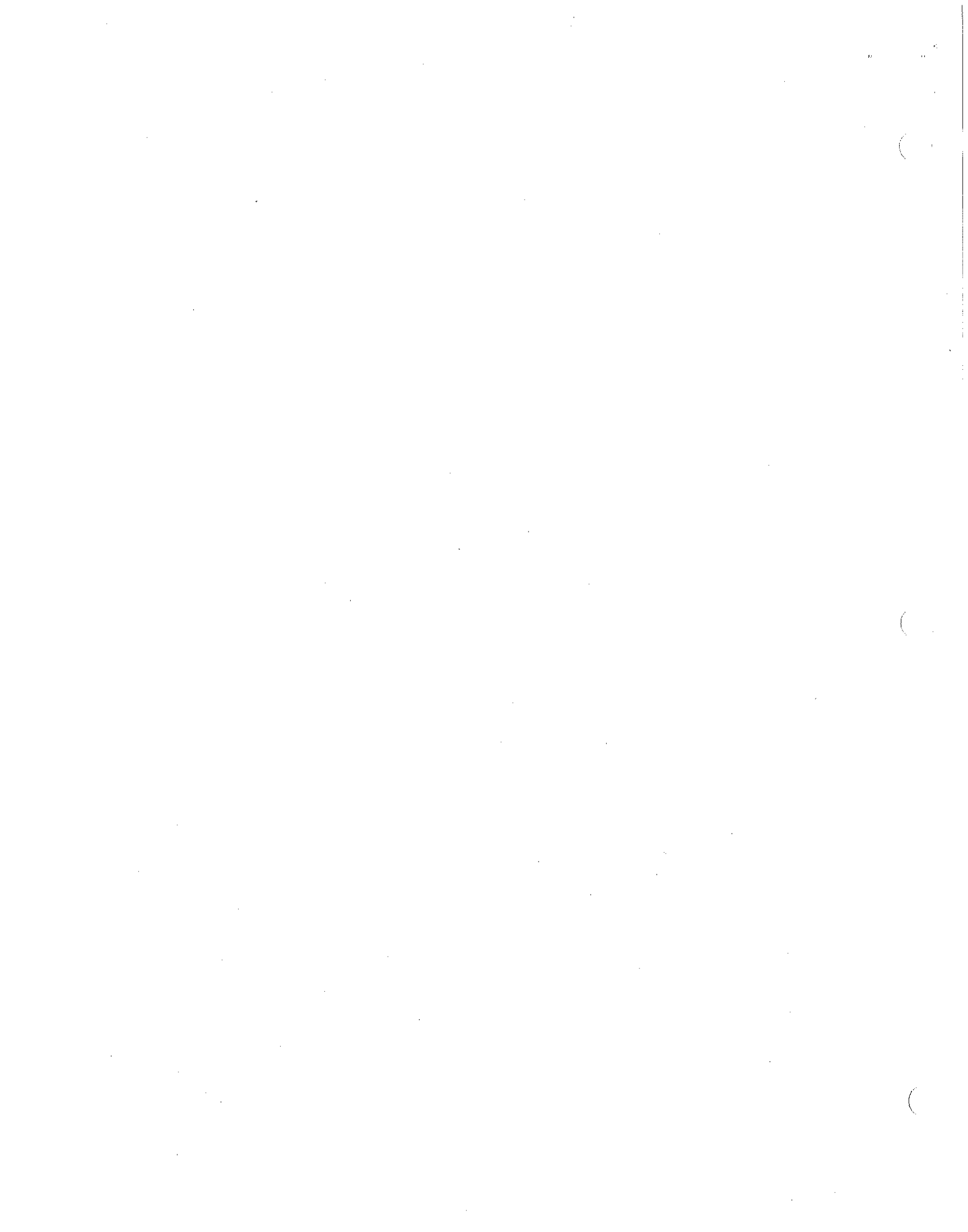
ORDERED that this is a Final Order and is a public document pursuant to the Maryland Public Information Act, State Govt. Code Ann. §§ 10-611, *et seq.* (2004 & Supp. 2006).

12-27-07

Date



David A. Williams, DDS, President
Maryland State Board of Dental Examiners



NOTICE OF RIGHT TO APPEAL

Pursuant to H.O. § 4-319, you have a right to take a direct judicial appeal. A Petition for Judicial Review must be filed within thirty days of your receipt of this executed Order, and shall be made as provided for judicial review of a final decision in the Administrative Procedure Act, State Govt. Code Ann. §§ 10-201, *et seq.* (2004).