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| IN THE MATTER OF | * | BEFORE THE STATE |
| LARRY J. PETERSON, D.D.S. | * | BOARD OF DENTAL |
| RESPONDENT | * | EXAMINERS |
| LICENSE NUMBER: 5355 | * | Case Number: 2009-064 |
| | * | |

* * * * *

FINAL CONSENT ORDER

The State Board of Dental Examiners (the "Board") charged Larry J. Peterson, D.D.S. ("Respondent"), D.O.B.: 08/26/1945, license number: 5355, under the Maryland Dentistry Act, Md. Health Occ. ("H.O.") Code Ann. §§ 4-101 *et seq.* (2009 Repl. Vol.).

Specifically, the Board charged the Respondent with violating the following provisions:

H.O. § 4-315. Denials, reprimand, probations, suspensions, and revocations – Grounds.

(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, a limited license to practice dentistry, or a teacher's license to practice dentistry to any applicant, reprimand any licensed dentist, place any licensed dentist on probation, or suspend or revoke the license of any licensed dentist, if the applicant or licensee:

(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;

(19) 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;

FINDINGS OF FACT

The board finds that:

1. At all times relevant hereto, the Respondent was and is licensed to practice dentistry in the State of Maryland. The Respondent was initially licensed in Maryland on March 19, 1973 under license number: 5355.

2. At all times relevant hereto, the Respondent was and is licensed to practice dentistry in the District of Columbia under license number: DEN 2842.

3. At all times relevant hereto, the Respondent practiced dentistry at 1234 19th Street, N.W. Suite 200, Washington D.C.

4. On or about June 26, 2008, the Respondent, through his attorney submitted to the Board, a copy of and unexecuted Consent Order between the Respondent and the District of Columbia Board of Dentistry ("the District of Columbia Board").

5. On or about June 26, 2009, the Board received the Respondent's Dental License Renewal Application ("Renewal Application").

6. On his Renewal Application, the Respondent answered "Yes" to the following questions , Since July 1, 2007:

a. Has any licensing or disciplinary board of any jurisdiction, including Maryland, or any federal entity denied your application for licensure, reinstatement or renewal, or taken any action against your license, including but not limited to reprimand, suspension, revocation, a fine, or non judicial punishment?

b. 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?

7. In addition to his Renewal Application, the Respondent also submitted a copy of a Consent Order dated June 25, 2008, that the Respondent had entered into with the District of Columbia Board (a copy of Consent Order, *In the Matter of Larry J. Peterson, D.D.S., License Number DEN 2842*, is attached hereto and incorporated herein as **Exhibit A**).

8. The following facts pertain to the disciplinary action taken against the Respondent's license by the District of Columbia Board:

9. On or about February 1, 2008, the District of Columbia Board issued a Notice of Intent to Take Disciplinary Action against the Respondent's license.

10. The District of Columbia Board charged that the Respondent: (1) failed to conform to the standards of acceptable conduct and prevailing practice of dentistry in violation of D.C. Official Code § 3-1205.14(a)(26)(2001); (2) demonstrated a willful or careless disregard for the health, welfare or safety of a patient, regardless of whether the patient sustained actual injury, in violation of D.C. Official Code §3-1205.14(a)(28)(2001); (3) willfully performed, offered, or attempted to perform services beyond the scope of those authorized by license in violation of D.C. Official Code §3-1205.14(a)(21)(2001); and (4) prescribed, dispensed, or administered drugs when not authorized to do so in violation of D.C. Official Code §3-1205.14(a)(19)(2001).

11. In the Consent Order dated June 25, 2008, the District of Columbia Board made the following findings of fact:

12. On or about August 25, 2005, the Respondent gave C.Y.¹, who was not a patient of his dental practice, a prescription for pain medication, when she presented herself to his office after business hours complaining of pain.

13. From August 2005 to August 2006, the Respondent continued to see C.Y. in his dental office after business hours and wrote her prescriptions for large quantities of controlled substances with high street values.

14. During the time that the Respondent saw C.Y., he failed to take X-rays on her and he also failed to render a diagnosis.

15. The Respondent maintained a "personal file" on C.Y., but he did not maintain a patient file on C.Y.

16. The Respondent continued to prescribe controlled substances to C.Y., even though he knew that she was receiving dental treatment and pain management from other dentists and physicians. The Respondent did not consult with or notify the dentist or physicians that were treating C.Y. that he was prescribing controlled substances for C.Y.

17. In the Consent Order dated June 25, 2008, the District of Columbia Board concluded that the Respondent violated D.C. Official Code § 3-1205.14(a) (19), (21),(26), and (28) (2001).

18. Based on the Respondent's conduct as set forth above, the Respondent's license to practice dentistry was suspended by the District of Columbia Board.

19. Disciplinary action taken against the Respondent's license and the subsequent suspension of his license by the District of Columbia Board, constitute grounds for disciplinary action under H.O. § 4-315 (a) (7) and (19).

¹ C.Y.'s name has not been released in order to protect her identity.

20. The Respondent's conduct as set forth above constitute grounds for disciplinary action under H.O. §§ 4-315 (a) (7), (16), and (19).

CONCLUSIONS OF LAW

Based on the foregoing Finding of Fact, the Board concludes that the Respondent is in violation of H.O. §§ 4-315(a) (7), (16), and (19).

ORDER

Based on the foregoing Findings of Fact and Conclusions of Law, it is this ____ day of _____ 2010, the Board, by a majority of the quorum of the Board, hereby

ORDERED that the Respondent's license to practice dentistry is **SUSPENDED** for a period of **one (1) year** and said suspension is hereby **STAYED**; and it is further

ORDERED that the Respondent shall be placed on **PROBATION** for period of **ten (10) years** commencing on June 25, 2008, subject to the following terms and conditions; and it is further

ORDERED that the Respondent shall comply with the terms and condition set forth in his District of Columbia Consent Order dated June 25, 2008 ("District of Columbia Consent Order"); and its is further

ORDERED that the Respondent shall supply the Board with a copy of all reports and/or written statements from his treatment therapists and/or mental health providers, as set forth in his District of Columbia Consent Order; and it is further

ORDERED the Respondent shall immediately inform the Board of any changes to the terms and conditions of his District of Columbia Consent Order and provide the

Board with a copy of any amendments to his District of Columbia Consent Order; and it is further

ORDERED that the Respondent shall at all times cooperate with the Board and any of its agents or employees in the monitoring and investigation of the Respondent's compliance with the terms and conditions of this Consent Order; and it is further

ORDERED that if the Respondent violates the terms and conditions of his District of Columbia Consent Order, Respondent's license shall be summarily suspended, without either prior notice or an opportunity to be heard. The Respondent will be given an opportunity for a show cause hearing, before the Board, within a reasonable time after his summary suspension; and it is further

ORDERED that the Respondent shall obey all federal and state laws, including any laws and/or regulations pertaining to the practice of dentistry; and it is further

ORDERED that if the Board receives a report that the Respondent has violated the Act or if any other term or condition outlined in his District of Columbia Order, the Board may take further disciplinary action against the Respondent, including suspension or revocation. The Respondent has the burden of proof in for any action brought against the Respondent as a result of a breach of the terms and conditions; and it is further

ORDERED that the Respondent may not file a written petition for termination of his probationary status until at least five (5) years after the effective date of this Consent Order. In order to be considered for early termination of his probationary status, the Respondent must provide proof that he has: (1) satisfactory complied with all conditions of probation; (2) does not have any restrictions on his license to practice dentistry in any

jurisdiction and; (3) has no disciplinary actions or complaints against his license in any jurisdiction; and it is further

ORDERED that the Respondent shall be responsible for all costs incurred under this Consent Order; and it is further

ORDERED that the effective date of this Order is the date that it is signed by the Board; and it is further

ORDERED that this Consent Order is a public document pursuant to Md. State Govt. Code Ann. §§ 10-601 *et seq.* (2009 Repl. Vol.).

16 June 2016
Date


T. Earl Flanagan, Jr. DDS
T. Earl Flanagan, Jr., D.D.S., President
Maryland State Board of Dental
Examiners

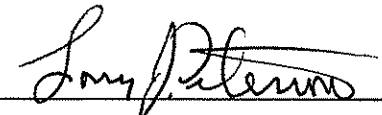
CONSENT OF LARRY J. PETERSON, D.D.S.

I, Larry J. Peterson, D.S.S., by affixing my signature hereto, acknowledge that:

1. I am represented by Edward J. Krill, Esquire.
2. I am aware that I am entitled to a formal evidentiary hearing before the Board, pursuant to Md. Health Occ. Code Ann. § 4-318 (2009 Repl. Vol.) and Md. State Govt. Code Ann. §§ 10-201 *et seq.* (2009 Repl. Vol.).
3. I acknowledge the validity and enforceability of this Consent Order as if entered after a formal evidentiary hearing in which I would have had 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. I am waiving those procedural and substantive protections.
4. I voluntarily enter into and consent to the foregoing findings of fact, conclusions of law, and order and agree to abide by the terms and conditions set forth herein, as a resolution of the Board's case, based on the findings set forth herein.
5. I waive my right to contest the findings of fact and conclusions of law, and I waive my right to a full evidentiary hearing, and any right to appeal this Consent Order as set forth in Md. Health Occ. Code Ann. § 3-315 (2009 Rep. Vol.) and Md. State Govt. Code Ann. §§ 10-201 *et seq.* (2009 Rep. Vol.).
6. I acknowledge that by failing to abide by the terms and conditions set forth in this Consent Order, and, following proper procedures, I may be subject to disciplinary action, which may include revocation of my license to practice dentistry in the State of Maryland.

7. I sign this consent order, without reservation, as my voluntary act and deed. I acknowledge that I fully understand and comprehend the language, meaning, and terms of this order.

6/8/2010
Date 


Larry J. Peterson, D.D.S.


NOTARY

STATE OF _____

CITY/COUNTY OF District of Columbia

I hereby certify that on this 8th day of June, 2010, before me, a Notary Public for the State of Maryland and the City/County aforesaid, personally appeared Larry J. Peterson, D.D.S. and made oath in due form of law that the foregoing Consent Order was his voluntary act and deed.

AS WITNESS my hand and Notarial Seal.


Notary Public

ANGELA N. BYERS
A NOTARY PUBLIC OF DISTRICT OF COLUMBIA
MY COMMISSION EXPIRES SEPTEMBER 14, 2014

My Commission Expires: _____

