

IN THE MATTER OF	*	BEFORE THE MARYLAND
SIAR KARMAND, D.D.S.	*	STATE BOARD OF
RESPONDENT	*	DENTAL EXAMINERS
License Number: 13203	*	Case Number: 2012-219
* * * * *	*	* * * * *

**CONSENT ORDER FOR SUMMARY SUSPENSION
OF LICENSE TO PRACTICE DENTISTRY**

SIAR KARMAND, D.D.S. (the "Respondent") (D.O.B. 11/05/1972), License Number 13203, hereby consents to the State Board of Dental Examiners (the "Board") order for SUMMARY SUSPENSION of his license to practice dentistry in the State of Maryland. The Board takes such action pursuant to its authority under Md. St. Gov't Code Ann. § 10-226(c)(2009 Repl. Vol.), concluding that the public's health, safety and welfare continues to require action.

INTRODUCTION

The Board notifies the Respondent of its intent to summarily suspend his license for allegedly violating the following provisions of the Act under H.O. § 4-315:

(a) *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:

- (16) Behaves dishonorably or unprofessionally, or violates a professional code of ethics pertaining to the dentistry profession;

FINDINGS OF FACT

Based on information received by, and made known to the Board, and the investigatory information obtained by, received by and made known to and available to the Board, including the instances described below, the Board has reason to believe that the following facts constitute grounds to suspend Dr. Karmand's license:¹

BACKGROUND FINDINGS

1. At all times relevant to these charges, the Respondent was licensed to practice dentistry in the State of Maryland. The Respondent was initially licensed to practice dentistry in Maryland on or about March 12, 2003, under License Number 13203.

2. At all times relevant to these charges, the Respondent was employed as a dentist at a dental practice located in Silver Spring, Maryland.

3. The Board initiated an investigation of the Respondent after reviewing an article about him that was broadcast on Fox 5 DC and published in the May 4, 2012, edition of the www.myfoxdc.com News, entitled, "Dentist Charged with Possession of Crystal Meth with Intent to Sell." Methamphetamine is a psychostimulant and a Schedule II controlled dangerous substance. GHB is a CNS depressant used as an intoxicant. GHB is a Schedule III controlled dangerous substance.

4. Based on this allegation, the Board issued an Order for Summary Suspension to the Respondent, effective December 19, 2012, in which the parties agreed to summarily suspend his license to practice dentistry in the State of Maryland.

¹ 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.

The Board took such action pursuant to Md. State Gov't Code Ann. § 10-226(c)(2)(2009 Repl. Vol.).

5. The findings of the Board's investigation are set forth *infra*.

BOARD INVESTIGATIVE FINDINGS

6. The Respondent was registered with the United States Drug Enforcement Administration ("DEA"). Therefore Respondent had a registration number which authorized him to order, dispense, and handle controlled dangerous substances ("CDS"). Respondent's DEA number is BK 8270237 and the expiration date is 12/31/2012. Respondent's CDS number is D53233 and the expiration date is 3/31/2013.

Criminal investigation and arrest on drug charges

1. On or about May 3, 2012, the Respondent's residence was searched pursuant to a search warrant and Respondent was arrested.
2. On or about May 3, 2012, a District of Columbia police Detective (the "Affiant") submitted an Affidavit in Support of a Criminal Complaint (the "Affidavit"), in which she reported that on or about May 3, 2012, Siar Karmand did unlawfully, knowingly, and intentionally possess with intent to distribute a quantity of amphetamine, a Schedule II controlled substance . These allegations constitute a Class II Felony and a violation of 48 D.C. Code, Section 904.01(a)(1)(2001 ed.)
3. Based on the Affidavit, a criminal complaint was issued against the Respondent in the United States District Court for the District of Columbia. The criminal complaint alleged that the Respondent violated 48 D.C. Code, Section 904.01(a)(1)(2001 ed.) and is now pending in the United States District Court for the District of Columbia.

(a) Investigation into these matters is ongoing and continuing and, as of the date of this ORDER, the Defendant's charges are ongoing and no findings have been made.

4. The indictment against Siar Karmand containing the above charges was filed on or about November 13, 2012 and the charges are ongoing.

5. Based on the above allegations, the Board has a basis to charge the Respondent with committing prohibited acts as set forth in the Act under H.O. § 4-315. Specifically, the Board finds that the Respondent violated one or more of the following subsections of H.O. § 4-315:

(a) *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:

(16) Behaves dishonorably or unprofessionally, or violates a professional code of ethics pertaining to the dentistry profession.

CONCLUSIONS OF LAW

Based on the foregoing facts, the Board concludes that the Respondent constitutes a danger to the public and that the public health, safety or welfare imperatively require emergency action in this case, pursuant to Md. State Gov't Code Ann. § 10-226(c)(2)(2009 Repl. Vol.).

ORDER

Based on the foregoing, and with the consent of the Respondent, it is therefore this 2nd day of January, 2013, by a majority vote of a quorum of the State Board of Dental Examiners, by authority granted to the Board by Md. St. Govt. Code Ann. § 10-226(c)(2) (2009 Repl. Vol.), it is hereby:

ORDERED that the Respondent's license to practice dentistry in the State of Maryland, under License Number 13203, is **SUMMARILY SUSPENDED**; and it is further

ORDERED that this document constitutes a Final Order of the Board and is therefore a public document for purposes of public disclosure, as required by Md. State Govt. Code Ann. § 10-617(h) (2009 Repl. Vol.).

A handwritten signature in black ink, appearing to read 'Ngoc Chu D.D.S.', with a horizontal line underneath.

Ngoc Chu, D.D.S, President
Maryland State Board of Dental Examiners

NOTICE OF HEARING

The Respondent, Siar Karmand, D.D.S. is entitled to a full evidentiary hearing held before the Board of Dental Examiners at Spring Grove Hospital Center, Benjamin Rush Building, 55 wade Avenue, Baltimore, Maryland 21218, following a written request by the Respondent for same.

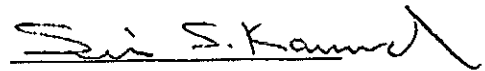
CONSENT OF SIAR KARMAND, D.D.S.

I, SIAR KARMAND, D.D.S., LICENSE NUMBER: 13203, by affixing my signature hereto, acknowledge that:

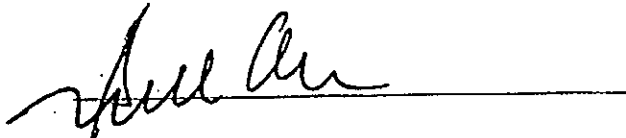
1. I have had the opportunity to consult with counsel, Howard Cheris, Esq. before signing this document.
2. I am aware that I was entitled to a formal evidentiary hearing before the Board, pursuant to Md. Health Occ. Code Ann. § 4-318 (2009 Repl. Vol. and 2011 Supp.) and Md. State Govt. Code Ann. §§ 10-201 *et seq.* (2009 Repl. Vol. and 2011 Supp.).
3. I acknowledge the validity of this Consent Order entered into without 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.
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. I waive any right to contest the Findings of Fact and Conclusions of Law.
5. I acknowledge that by failing to abide by the conditions set forth in this Consent Order, and, following proper procedures, I may be subject to disciplinary action, which may include reprimand, suspension or revocation of my license to practice as a dentist in the State of Maryland.
6. 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 Consent Order.

January 2nd, 2013

Date:



Siar Karmand, D.D.S.



Review and approved by:

Howard Cheris, Esq.