

IN THE MATTER OF
ANTHONY E. WARD, JR.

Respondent

License Number: M00728

* BEFORE THE MARYLAND
* BOARD OF MORTICIANS
* AND FUNERAL DIRECTORS

* Case Number: 07-016

* * * * *

CONSENT ORDER OF REINSTATEMENT

PROCEDURAL BACKGROUND

On April 4, 2007, the Maryland State Board of Morticians and Funeral Directors (the "Board") accepted a letter of surrender from **ANTHONY E. WARD, JR., MORTICIAN**, License Number M00728, in which he agreed to give up his license, after be charged with violating provisions under the Maryland Morticians and Funeral Directors Act (the "Act"), Md. Health Occ. Code Ann. ("H.O.") §§ 7-101 *et seq.* Specifically, the Board had filed a notice of intention to revoke the Mr. Ward's license on February 21, 2007. The Board charged Mr. Ward with violating the following provisions of the Act under H.O. § 7-316:

H.O. § 7-316

Subject to the hearing provisions of § 7-316 of this subtitle, the Board may ... reprimand any licensee ... place any licensee ... on probation, or suspend or revoke a license ... if the ... licensee ...:

- (4) Is convicted of or pleads nolo contendere to a felony or to a crime involving moral turpitude...;

The charges arose out of Mr. Ward's conviction for robbery and possession of illegal drugs. On June 29, 2005, Mr. Ward pled guilty in the Circuit Court for Somerset County to one count of robbery in violation of Md. Crim. Code Ann. § 3-402 and one count of

possession of a controlled dangerous substance, to wit: not marijuana in violation of Md. Crim. Code Ann. § 5-601(a). In the face of these charges, Mr. Ward agreed to give up his license to practice mortuary science.

Mr. Ward has served his time for these offenses and been released from prison. Now, Mr. Ward has petitioned the Board for reinstatement of his license. At the Board's December 10, 2008 meeting, Mr. Ward's petition was initially considered. Mr. Ward met with a committee of the Board before its January 14, 2009 meeting and agreed to abide by any conditions set forth by the Board, if he could have his license reinstated. The Board and Mr. Ward agreed to the following conditions of reinstatement:

ORDER

Based upon the foregoing Consent Order, it is this 11th day of March, 2009, by a quorum of the Board considering this case:

ORDERED that Mr. Ward's license to practice as a mortician in the State of Maryland shall be and hereby is **Reinstated**; and be it further

ORDERED that Mr. Ward is placed on **PROBATION** for a minimum period of **One (1) YEAR**, and until such time as Mr. Ward successfully completes the following terms and conditions:

1. The Respondent understands and agrees that he shall not be allowed to make preneed arrangements,

2. Mr. Ward shall obtain a Board-approved supervisor/mentor (the "Mentor"), who shall meet with Mr. Ward quarterly on an unannounced basis to review his performance of mortuary science. The Respondent shall submit proposed candidates for mentoring to the Board for purposes of satisfying this condition. The

Mentor shall submit written reports beginning after the Respondent undergoes supervision, and shall thereafter submit written reports at three (3) month intervals, for a total of four (4) written reports during the **one (1) YEAR** period of **PROBATION**. In these reports, the Mentor shall assess Mr. Ward's performance of mortuary science and compliance with all applicable codes of ethics pertaining to the practice of mortuary science.

3. Mr. Ward shall attend Narcotics Anonymous meetings or with meetings with a substance abuse counselor on a weekly basis.

4. Mr. Ward agrees to submit to random, drug testing at the time and place of the Board's choosing and in the manner the Board sees fit. Mr. Ward will not be tested more, than twice per month during his probation

AND BE IT FURTHER ORDERED that after the conclusion of the entire **ONE (1) YEAR PERIOD OF PROBATION**, Mr. Ward may file a written petition for termination of his probationary status without further conditions or restrictions, but only if he has satisfactorily complied with all conditions of this Consent Order, including all terms and conditions of probation, and including the expiration of the **ONE (1) YEAR PERIOD OF PROBATION**, and if there are no pending complaints regarding her before the Board; and be it further

ORDERED that if Mr. Ward violates any of the terms or conditions of this Consent Order, the Board, after notice, opportunity for a hearing and determination of violation, may impose any other disciplinary sanctions it deems appropriate, including but not limited to, revocation or suspension, said violation being proven by a preponderance of the evidence; and be it further

ORDERED that Mr. Ward shall be responsible for all costs incurred in fulfilling the terms and conditions of this Consent Order; and be it further

ORDERED that this Consent Order is considered a **PUBLIC DOCUMENT** pursuant to Md. State Gov't Code Ann. §§ 10-611 *et seq.* (2004 Repl. Vol.).

3-11-09

Date



Hari P. Close, II
President, Maryland State Board of
Morticians and Funeral Directors

CONSENT

I, Anthony E. Ward, Jr., acknowledge that I have had the opportunity to consult with counsel before signing this document. By this Consent, I accept to be bound by this Consent Order and its conditions and restrictions. I waive any rights I may have had to contest the Findings of Fact and Conclusions of Law.

I acknowledge the validity of this Consent Order as if entered into after the conclusion of 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 as provided by law. I acknowledge the legal authority and the jurisdiction of the Board to initiate these proceedings and to issue and enforce this Consent Order. I also affirm that I am waiving my right to appeal any adverse ruling of the Board that might have followed any such hearing.

I sign this Consent Order after having had an opportunity to consult with counsel, without reservation, and I fully understand and comprehend the language, meaning and terms of this Consent Order. I voluntarily sign this Order, and understand its meaning and effect.

4-2-09
Date

Anthony E. Ward, Jr.
Anthony E. Ward, Jr.
Respondent

NOTARY

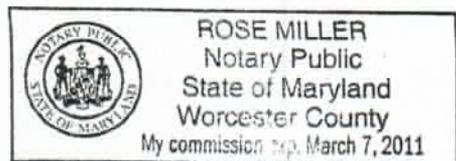
STATE OF Maryland
CITY/COUNTY OF: Worcester

I HEREBY CERTIFY that on this 2nd day of April, 2009, before me, a Notary Public of the State and County aforesaid, personally appeared Anthony E. Ward, Jr., and gave oath in due form of law that the foregoing Consent Order was her voluntary act and deed.

AS WITNESS, my hand and Notary Seal.

Rose Miller
Notary Public

My commission expires: March 7, 2011



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Respondent

NOTARY

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