

IN THE MATTER OF \* BEFORE THE MARYLAND  
 JENNIFER BORDNER, DRT \* STATE BOARD OF DENTAL  
 RESPONDENT \* EXAMINERS  
 CERTIFICATE NUMBER: 14989 \* CASE NUMBERS: 2012-0327

\* \* \* \* \*

**CONSENT ORDER**

The State Board of Dental Examiners (the "Board") charged Jennifer Bordner, DRT ("Respondent"), DOB: 12/7/1943, Certificate Number: 14989, under the Maryland Dentistry Act, Md. Health Occ. ("H.O.") Code Ann. §§ 4-101 *et seq.* (Repl. Vol. 2009) and Code of Md. Regs tit. 10, § 44.19. Specifically, the Board charged the Respondent with violating the following provisions:

**Code of Md. Regs. tit., 10 § 44.19**

**. 11 Penalties for Violations of These Regulations.**

A. Subject to the hearing provisions of this chapter, the Board may deny a certificate to practice dental radiation technology, reprimand any certified dental radiation technologist, place any certified dental radiation technologist on probation, or suspend or revoke the certificate of any certified dental radiation technologist, if the holder of the certificate:

- (2) Fails to conform to generally accepted standards in the practice of radiation technology;
- (6) Violates any rule or regulation adopted by the Board;
- (7) Is convicted of or pleads guilty or nolo contendere to a felony or a crime involving moral turpitude, whether or not any appeal or other proceeding is pending to have the conviction or plea set aside;
- (15) Behaves dishonorably or unprofessionally [.]

## FINDINGS OF FACT

The Board finds that:

1. At all times relevant hereto, the Respondent was and is certified to practice dental radiation technology in the State of Maryland. The Respondent initially received her certification to practice dental radiation technology on or about October 6, 2008.

2. The Respondent's certification to practice dental radiation technology expires on March 3, 2013.

3. On or about August 19, 2011, the Board received a complaint from the Respondent's employer, a dentist ("Dentist A") who is licensed to practice dentistry, in the State of Maryland.<sup>1</sup>

4. Dentist A alleged in his complaint, that on or about August 12, 2011, he was contacted by a pharmacist at a national pharmacy chain, with a store located in Dundalk, Maryland, who questioned the validity of two prescriptions written on his prescription forms. Dentist A informed the pharmacy that he had not written the prescriptions.

5. The pharmacist faxed copies of two forged prescriptions for Percocet, written for the Respondent and another individual, to Dentist A. Dentist A determined that the Respondent had taken his prescription forms, and forged Dentist A's signature, to obtain Percocet for herself and an acquaintance.

6. After Dentist A confronted the Respondent about forging his signature to obtain Percocet, the Respondent admitted that she had taken two prescription forms and forged his signature to obtained Percocet.

---

<sup>1</sup> The name the Respondent's employer has not been disclosed in order to protect employer's identity. The Respondent is aware of the name of this employer.

7. The Respondent was fired by Dentist A, after she disclosed that she had forged his signature on a prescription to obtain Percocet.

8. In or around September 2011, following a criminal investigation, the Respondent was charged in the District Court for Baltimore County, Maryland, with nineteen (19) counts of obtaining a schedule II, controlled dangerous substance, to wit: Oxycodone by fraud, deceit, misrepresentation, or subterfuge in violation of Md. Crim. Law art. § 5-601 (a) (2) (i); eighteen (18) counts of obtaining a schedule II controlled dangerous substance, to wit: Oxycodone by making, issuing, or presenting a false or counterfeit prescription or written order, in violation of Md. Crim. Law art. § 5-601 (a) (2)(vi); and one (1) count of theft-scheme under \$1000 in violation of Md. Crim. Law art. § 5-104.<sup>2</sup>

9. On or about December 6, 2012, the Respondent pled guilty in District Court for Baltimore County Maryland to one (1) count of obtaining a schedule II controlled dangerous substance, to wit: Oxycodone by fraud, deceit, misrepresentation, or subterfuge in violation of Md. Crim. Law art. § 5-601 (a) (2) (i) and one (1) count of theft-scheme under \$1000 in violation of Md. Crim. Law art. § 5-104

10. On or about December 6, 2012, the Respondent was sentenced by Judge Sally C. Chester for the District Court for Baltimore County, Maryland. The Respondent was granted probation before judgment, placed on supervised probation for a period of two (2) years and ordered to pay criminal fines and court costs.

11. The conduct as set forth above is a violation of Code of Md. Regs. tit. 10, § 44.19.11A (2), (6) (7) and (15).

---

<sup>2</sup> The Respondent was criminally charged under the name of Jennifer Lynn Cardinal.

CONCLUSIONS OF LAW

Based on the foregoing Findings of Fact, the Board concludes that the Respondent's conduct as set forth in the findings of fact is a violation of Code of Md. Regs. tit. 10, § 44.19.11A (2), (6) (7) and (15).

ORDER

Based on the foregoing Findings of Fact and Conclusions of Law, it is this 1<sup>st</sup> day of August 2013, by a majority of the Board considering this case:

**ORDERED** that the Respondent's certification as a dental radiation technologist shall be **SUSPENDED** for a period of one (1) year; and it is further

**ORDERED** that the Respondent shall enter into a signed and dated contract with the Maryland Dental Well Being Committee (the WBC) within thirty (30) days of the effective date of this Consent Order; and it is further.

**ORDERED** that the Respondent shall undergo random drug testing at a testing facility approved by the WBC; and it is further

**ORDERED** that after thirty (30) days, if the Respondent has entered into a signed and dated contract with the WBC, and the Respondent has participated in random drug testing at a facility approved by the WBC, the Respondent can petition the Board to lift the suspension; and it is further

**ORDERED** that if the results of the Respondent's drug testing are positive for any illegal drugs and/or any medications, not supported by an authorized prescription, the Respondent's suspension shall not be lifted; and it is further

**ORDERED** that the Respondent shall be placed on **PROBATION** for a period of three (3) years, and, subject to the following terms and conditions:

(1) The Respondent shall maintain a contract with the WBC for a minimum of three (3) years.

(2) The Respondent shall comply with all provisions set forth in her WBC contract.

(3) The Respondent shall undergo random unannounced drug testing no less than every sixty (60) days. The Respondent's compliance will be monitored by WBC.

(4) The Respondent shall provide the Board with the name and address of her current dental employer.

(5) If the Respondent changes her dental employer at any time while this Consent Order is in effect, the Respondent shall provide the Board with written notification of any change in her employment within three (3) days of such change.

(6) The Respondent shall provide her employer with a copy of this Order.

(7) The Respondent's employer/ supervisor shall submit a semi-annual written report to the Board that summarizes the Respondent's practice and addresses any other concerns. The Respondent shall ensure that the Board receives the first report no later than six months from the effective date of this Order and every six (6) months thereafter. An unsatisfactory report will be considered a violation of this Consent Order.

(8) The Respondent shall ensure that the Board receives the first report no later than six months from the effective date of this Order and every six (6) months thereafter. An unsatisfactory report will be considered a violation of this Order.

(8) The Respondent shall submit a semi-annual written report that describes her progress during her probationary period. The Board shall receive the first report no

later than six months from the effective date of this Consent Order and every six (6) months thereafter.

(9) If the Respondent moves either permanently or temporarily, the Respondent shall provide the Board with written notification of her new address and telephone number within three (3) days of the move.

**ORDERED** that a positive drug screen report shall result in immediate suspension of the Respondent's certification without either prior notice or an opportunity to be heard, provided that she is afforded an opportunity for a show cause hearing before the Board at the Board's next scheduled meeting. The resulting order shall be a public order and this Consent Order shall be incorporated therein; and it is further

**ORDERED** that at the end of the probationary period, the Respondent shall file a written petition to the Board for termination of the probationary status and the removal of any conditions or restrictions that resulted from this disciplinary action, provided that Respondent (1) has satisfactorily fulfilled all the terms and conditions set forth herein, (2) is not in violation of this Consent Order, and (3) there are no outstanding complaints against the Respondent and, (4) the Respondent has not received any unsatisfactory reports; and it is further

**ORDERED** that if the Respondent fails to make any such petition, then the probationary period status shall continue indefinitely, subject to the conditions set forth in this Consent Order; and it is further

**ORDERED** that if the Respondent violates any of the terms and conditions of this Consent Order, after notice and a hearing, and a determination of violation, the Board may impose any other disciplinary sanctions it deems appropriate, said violation being proved by a preponderance of evidence. The resulting order and this Consent Order incorporated

therein shall be public; and it is further

**ORDERED** that the Respondent shall be responsible for all costs incurred under this Consent Order, except for those cost incurred through the WBC; and it is further

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

**ORDERED** that for purposes of public disclosure and as permitted by Md. State Govt. Code Ann. § 10-601 *et seq.* (2009 Repl. Vol. & 2012 Supp.), this document consists of the contents of the foregoing Findings of Fact, Conclusions of Law, and Order, and is reportable to any entity to whom the Board is obligated to report; and be it further

**ORDERED** that this Consent Order is a public document pursuant to Md. State Govt. Code Ann. §§ 10-601 *et seq.* (2009 Repl. Vol. & 2012 Supp.).

8/7/2013

Date



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

## CONSENT OF JENNIFER BORDNER

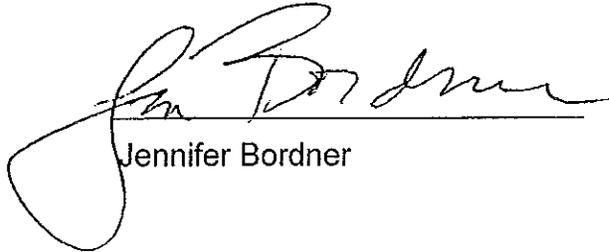
I, Jennifer Bordner by affixing my signature hereto, acknowledge that:

1. I chose not to be represented an attorney.
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 (Repl. Vol. 2009) and Md. State Govt. Code Ann. §§ 10-201 *et seq.* (Repl. Vol. 2009).
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 in this Consent Order, 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. § 4-319 (Rep. Vol. 2009) and Md. State Govt. Code Ann. §§ 10-201 *et seq.* (Rep. Vol. 2009).
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 certification to practice as dental radiation technologist 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.

8-2-13.

Date

  
Jennifer Bordner

NOTARY

STATE OF MARYLAND

CITY/COUNTY OF BALTIMORE

I hereby certify that on this 2<sup>nd</sup> day of August, 2013, before me, a Notary Public for the State of Maryland and the City/County aforesaid, personally appeared JENNIFER BORDEN and made oath in due form of law that the foregoing Consent Order was her voluntary act and deed.

AS WITNESS my hand and Notarial Seal.

  
Notary Public

My Commission Expires: **MARILYN M. WARREN**  
**NOTARY PUBLIC STATE OF MARYLAND**  
My Commission Expires January 16, 2014

