

IN THE MATTER OF
JOHN I. TIFFORD, D.D.S.

Respondent

License Number: 4853

* BEFORE THE MARYLAND
* STATE BOARD OF
* DENTAL EXAMINERS
* Case Number: 2013-115

* * * * *

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

The State Board of Dental Examiners (the "Board") hereby **SUMMARILY SUSPENDS** the license of **JOHN I. TIFFORD, D.D.S.** (the "Respondent"), License Number 4853, to practice dentistry in the State of Maryland. The Board takes such action pursuant to its authority under Md. Code Ann., State Gov't § 10-226(c) (2009 Repl. Vol.), concluding that the public health, safety and welfare imperatively require emergency action.

INVESTIGATIVE FINDINGS¹

I. Procedural and Factual Background

1. On July 3, 2013, the Board charged the Respondent with violating the Maryland Dentistry Act (the "Act"), codified at Md. Code Ann., Health Occ. ("Health Occ."), §§ 4-101 *et seq.* (2009 Repl. Vol.).

2. Specifically, the Board charged the Respondent with violating the following provisions of the Act under Health Occ. § 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

¹ The statements respecting 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.

probation, or suspend or revoke the license of any licensed dentist, if... the licensee:

- (6) Practices dentistry in a professionally incompetent manner or in a grossly incompetent manner;
- (16) Behaves dishonorably or unprofessionally, or violates a professional code of ethics pertaining to the dentistry profession; [and]
- (28) Except in an emergency life-threatening situation where it is not feasible or practicable, fails to comply with the Centers for Disease Control's guidelines on universal precautions[.]

3. On December 9, 2013, the Respondent resolved the Board's charges by entering into a public Consent Order consisting of Findings of Fact, Conclusions of Law and Order. See *Consent Order*, attached hereto as Exhibit 1.

4. According to the Consent Order, the Respondent "acknowledge[d] the violations" alleged in the Charges. Among other disciplinary measures, the Respondent agreed to accept a suspension of his license to practice dentistry in Maryland for a period of seven (7) days, commencing on December 16, 2013, and continuing until he fully and satisfactorily complied with the following terms and conditions:

- (1) The Respondent's dental office shall be subject to an unannounced inspection conducted by a Board-approved inspector [(herein, the "Inspector")], other than the Board expert who conducted the original inspection; and
- (2) If the Respondent passes the inspection, the suspension of his license will be lifted. If the Respondent does not pass the inspection, the suspension of his license will continue until he passes the inspection.

II. Subsequent Threats to Board Staff

5. On or about December 12, 2013, the Respondent initiated a series of hostile telephone calls with Board staff. He initially contacted the Board's Case Manager (the "Case Manager"), and stated that he intended to reopen his office immediately after

the inspection of his office was completed, which was set to take place on December 16, 2013.

6. However, the Case Manager advised the Respondent that he was not permitted to resume practice until the Board had received the Inspector's report and formally lifted the suspension through its regular process. At this, the Respondent became agitated. He disputed the conditions of the Consent Order and the circumstances under which the suspension could be lifted. Finally, he hung up the telephone, shouting "You lied!"

7. Later that day, at approximately 1:00 p.m., the Respondent telephoned another member of the Board's staff, a Board Investigator ("the "Board Investigator").² Again, the Respondent disputed the conditions and the circumstances under which the Board would lift the suspension and stated that he believed the Board was intentionally acting to lengthen the time of his suspension.

8. The Respondent then stated that he wanted to come to the Board meeting personally, scheduled for December 18, 2013, in order to ensure that the Board acted on the Inspector's report, and that this was a "life and death" situation. Further, he threatened that, "If I die, then others will die too." The Respondent then immediately hung up the telephone.

9. Later in the day, around 3:00 p.m., the Board's Executive Director (the "Executive Director") contacted the Respondent by telephone to inform him that the inspection of the Respondent's office previously scheduled for December 16, 2013 was now cancelled. The reason for the cancellation was that given the Respondent's

² To ensure confidentiality, the names of individuals, hospitals and healthcare facilities involved in this case, other than the Respondent, are not disclosed in this document.

threatening statements, there was serious concern for the Inspector's safety. The Executive Director explained that the Respondent's statements alluding to death were "scary." In response, the Respondent said, "It is a scary world," and thereafter hung up.

10. The Executive Director then alerted local and State police to the Respondent's threatening statements. On or about December 13, 2013, the St. Mary's County Police Department hand-delivered to the Respondent a Notice of Trespass warning him that he risked arrest if he entered without permission the premises of the Spring Grove Hospital Center, which houses the Board.

11. By his threatening statements to Board personnel, the Respondent has thwarted terms of the Consent Order. He has created a situation in which it is impossible or impracticable for the Board to carry out the mandated inspection with a reasonable assurance of safety, and is therefore in violation of the Consent Order.

CONCLUSIONS OF LAW

Based on the foregoing investigative findings, 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. Code Ann., State Gov't § 10-226(c)(2) (2009 Repl. Vol.).

ORDER

Based on the foregoing findings, it is this 30th day of December, 2013, by the Maryland State Board of Dental Examiners, hereby:

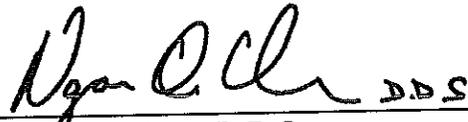
ORDERED that the Respondent's license to practice dentistry in the State of Maryland, under License Number 4853, is hereby **SUMMARILY SUSPENDED**; and it is further

ORDERED that upon the Board's receipt of a written request from the Respondent, a Show Cause Hearing shall be scheduled at the Board's next regularly scheduled meeting, at which the Respondent will be given an opportunity to be heard as to why the Order the Summary Suspension should not continue; and it is further

ORDERED that if the Respondent fails to request a Show Cause Hearing or makes a request for a Show Cause Hearing and fails to appear for it, the Board shall continue the Summary Suspension; and it is further

ORDERED that the Respondent, if he has not already done so, shall immediately turn over to the Board all physical licenses and/or indicia of licensure issued to him by the Board to practice dentistry that are in his possession; and it is further

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



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

NOTICE OF HEARING

A Show Cause Hearing to determine why the Order for Summary Suspension should not continue will be held before the Board at Spring Grove Hospital Center, Benjamin Rush Building, 55 Wade Avenue, Baltimore, Maryland 21228, at the Board's next regularly scheduled meeting, contingent upon a written request by the Respondent.

At the conclusion of the Show Cause hearing held before the Board, the Respondent, if dissatisfied with the result of the hearing, may, within ten (10) days, request an evidentiary hearing. Unless otherwise agreed by the parties, the Board shall then provide a hearing within forty-five (45) days after the Respondent's request. The Board shall conduct an evidentiary hearing under the contested case provisions of Md. Code Ann., State Gov't §§ 10-210 *et seq.*

OFFICE OF THE ATTORNEY GENERAL
HEALTH OCCUPATIONS PROSECUTION & LITIGATION DIVISION
300 WEST PRESTON STREET, SUITE 201
BALTIMORE, MARYLAND 21201
OFFICE (410) 767-5057; FAX (410) 333-5831

TRANSMITTAL MEMORANDUM

TO: Laurie Sheffield-James
Executive Director
Maryland State Board of Dental Examiners

FROM: K. F. Michael Kao *mk*
Assistant Attorney General
Administrative Prosecutor

RE: Order for Summary Suspension
John I. Tifford, D.D.S.
License Number: 4853
Case Number: 2013-115

DATE: December 27, 2013

Enclosed please find electronic files of the following documents: *Order for Summary Suspension of License to Practice Dentistry* (the "Order") and the Letter of Procedure.

Please print two sets of the Order on state bond paper and have Dr. Chu sign and date them. After these documents have been signed and dated, please follow the instructions below:

1. Please input the date and certified mail number in the letter of procedure, and print two copies on the Board's letter head. Please have Dr. Chu sign both letters of procedure.
2. Please send one set of the original Order and the Letter of Procedure to the Respondent's last known home and/or business address personal delivery and certified mail. Please make certain that an affidavit of service for the personal delivery and the return receipt for the certified mail are filed with the Board, and a copy sent to me.
3. The second set of the Order and Letter of Procedure should be placed in the Board's file.

Transmittal Memorandum (Summary Suspension)
John I. Tifford, D.D.S.
License No.: 4853, Case No.: 2013-115
December 27, 2013
Page 2 of 2

4. Copies of all signed documents should also be forwarded to John S. Nugent, Principal Counsel, and me.

If you have any questions, please do not hesitate to contact me at (410) 767-1881.

Enclosures

cc: John S. Nugent, Principal Counsel, HOPL
Rosalind Spellman, Admin. Officer, HOPL
Christopher B. Anderson, Staff Attorney, HOPL
Grant Gerber, Assistant Attorney General, Board Counsel
Leslie Grant, D.D.S., Dental Compliance Office
Sharon Oliver, Board Case Manager
Danielle Gonnelli, Board Investigator