

IN THE MATTER OF	*	BEFORE THE MARYLAND
AMALIA M. RAMIREZ, D.D.S.	*	STATE BOARD
Applicant	*	OF DENTAL EXAMINERS
LICENSE NUMBER: 11813 (expired)	*	CASE NUMBER: 2012-209
* * * * *		

CONSENT ORDER

On February 11, 2013, the Maryland State Board of Dental Examiners (the "Board") issued a Notice of Intent to Deny Application for Dental Licensure (the "Application") of **Amalia M. Ramirez, D.D.S.** (the "Applicant") (D.O.B. 11/25/1963), License Number 11813 (expired), under the Maryland Dentistry Act (the "Act"), codified at Md. Code Ann., Health Occ. ("Health Occ.") §§ 4-101 *et seq.* (2009 Repl. Vol.).

The Board based its Intent to Deny on the following provisions of the Act:

§ 4-315. Denials, reprimands, 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...to any applicant...if the applicant...:
- (1) Fraudulently or deceptively obtains or attempts to obtain a license for the applicant or licensee or for another;
 - (7) Has had a license to practice dentistry revoked or suspended in any other state;
 - (20) Willfully makes or files a false report or record in the practice of dentistry [.]

FINDINGS OF FACT

The Board makes the following Findings of Fact:

I. Background

1. On or about July 11, 1995, the Board first granted the Applicant a license to practice dentistry in Maryland. At that time, the Applicant's name was Amalia M. Valda.
2. Subsequently, the Applicant moved to New Mexico, and on or about May 11, 2001, obtained a New Mexico dental license.
3. On or about June 30, 2003, the Applicant allowed her Maryland license to expire.
4. On or about February 6, 2012, the Board received the Applicant's Application for Dental Licensure by Examination, dated February 3, 2012, under her current name. The Applicant did not file an Application for Reinstatement of her previously expired license.
5. The Applicant answered "No" to all questions in Section IV of the Application, "Character and Fitness," including the following:
 - a. Has any licensing or disciplinary board of any jurisdiction, including Maryland, or any federal or state 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?~~
...
 - f. Have you pled guilty, *nolo contendere*, had a conviction or receipt of probation before judgment or other diversionary disposition of any criminal act, excluding minor traffic violations?
 - g. Have you pled guilty, *nolo contendere*, had a conviction, or receipt of probation before judgment or other diversionary disposition for an alcohol or controlled dangerous substance offense, including but not limited to driving while under the influence of alcohol or controlled dangerous substances?
6. On the following page of the Application, a "Release and Certification" was printed, which read, "I hereby affirm that I have read and followed the above

instructions. I hereby certify that all the information in this application is accurate and correct." The Applicant signed her name below this statement.

II. Investigative Findings

7. In the course of evaluating the Application, the Board made inquiries and discovered that the Applicant had been untruthful in answering the questions cited above.

8. In or around 2007, the Applicant was arrested twice and charged with several controlled substance violations, including felony offenses.

9. Shortly afterward, the New Mexico Board of Dental Health Care (the "NM Board") suspended and then revoked the Applicant's New Mexico dental license.

Criminal Charges

10. On or about October 31, 2007, the Applicant was arrested. According to police records, police searched the Applicant's purse and recovered a clear plastic bag containing 2.4 grams of "a white powdery substance" which later tested positive for cocaine, along with "a chrome metal tube" which had been converted to smoke crack cocaine. She was charged with (1) possession of a controlled substance (a felony), and (2) possession of drug paraphernalia (a misdemeanor).

11. Within days, the Applicant was arrested again. According to the police records, on or about November 9, 2007, police searched the Applicant's car and recovered cocaine, crack cocaine, and paraphernalia including a "burnt metal measuring cup containing crack cocaine residue and baking soda" used to manufacture crack cocaine. She was charged with (1) possession of controlled substance (felony), and (2) trafficking controlled substance by manufacture (felony).

12. On or about July 7, 2008, the Applicant entered into a plea agreement to resolve the pending criminal charges against her. She pleaded no contest to and was convicted of two misdemeanor charges stemming from her October 31, 2007 arrest: (1) Attempt to commit a felony, to wit: Possession of a controlled substance (Felony – Narcotic Drug); and (2) Possession of Drug paraphernalia. As per the plea agreement, the charges from the November 9, 2007 arrest were disposed by *nolle prosequi*,

13. The New Mexico court imposed a sentence of one (1) year of supervised probation. The Applicant was discharged from probation on or about April 21, 2009.

14. The following year, the Respondent was arrested again. On or about February 4, 2010, she was charged criminally in New Mexico with: (1) possession of a controlled substance, (2) possession of drug paraphernalia, (3) resisting, evading or obstructing an officer, and (4) careless driving.

15. On or about October 8, 2010, charges (1) and (2) were disposed by *nolle prosequi*. She pleaded no contest and was convicted of charges (3) and (4).

Professional Discipline

16. On or about November 6, 2007, the NM Board received a complaint alleging that the Applicant had engaged in criminal conduct.

17. Based on the complaint, the NM Board summarily suspended the Applicant's license to practice dentistry in New Mexico on or about November 20, 2007. The basis for the suspension was the Applicant's suspected violation of N.M. Stat. Ann. § 61-5B-3:

The license of any dentist or dental hygienist to practice dentistry or dental hygiene in this state shall be subject to restriction, suspension, revocation, stipulation or may otherwise be limited in case of inability of the licensee to practice with reasonable skill and safety to patients by reason of one or more of the following:

...

C. habitual or excessive use or abuse of drugs[.]

18. On or about March 19, 2009, the Applicant entered into a Settlement Agreement with the NM Board containing the following terms: (1) enrollment in and compliance with a Monitored Treatment Program, with regular progress reports sent to the NM Board; (2) engagement of a Board-approved sponsoring dentist to oversee her work, including random chart review of at least 20% of her patient load, for one year.

19. On or about June 18, 2009, the NM Board sent a letter to the Applicant stating that she had not submitted any documentation of compliance with the Settlement Agreement, and requesting the same.

20. On or about July 13, 2009, the Applicant requested an extension to comply with the terms of the Settlement Agreement. She based her request on health issues and financial problems.

21. On or about August 4, 2009, the NM Board sent written notice (the "Notification") to the Applicant that based on her failure to comply with the Settlement Agreement her license was suspended until she found a Board-approved sponsoring dentist. In addition, the Notification required that she surrender her license within ten days and give the NM Board a report of her status by January 1, 2010. The Applicant failed to surrender her license or report on her status as directed.

22. On or about July 8, 2010, the NM Board ordered the Applicant to appear before the NM Board to cause why her license should not be revoked based on her continuing failure to comply with the NM Board's orders. The Applicant failed to appear.

23. On or about August 30, 2010, concluding that the Applicant's "multiple violations" of its orders constituted unprofessional conduct, the NM Board revoked the Applicant's license.

CONCLUSIONS OF LAW

24. Based on the foregoing Findings of Fact, the Board concludes as a matter of law that the Board is authorized to deny the Applicant's Application based on the following violations of Health Occ. § 4-315:

- a. The Respondent's failure to disclose on her Application her no-contest pleas and/or convictions constitutes: fraudulently and deceptively attempting to obtain a license, in violation of Health Occ. §4-315(a)(1); and willfully filing a false report in the practice of dentistry, in violation of Health Occ. §4-315(a)(20).
- b. In addition, the NM Board's revocation of the Respondent's New Mexico license constitutes: having a license to practice dentistry revoked in another state, in violation of Health Occ. §4-315(a)(7).

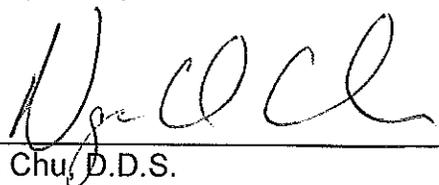
ORDER

Based on the foregoing Findings of Fact and Conclusions of Law, it is this 3rd day of July, 2013, by a majority of the Board considering this case:

ORDERED that the Applicant's Application for Dental Licensure in the State of Maryland is **DENIED**; and it is further

ORDERED that this Consent Order is a **PUBLIC DOCUMENT** pursuant to Md. Code Ann., State Gov't. § 10-611 *et seq.* (2009 Repl. Vol.).

7/3/2013
Date



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

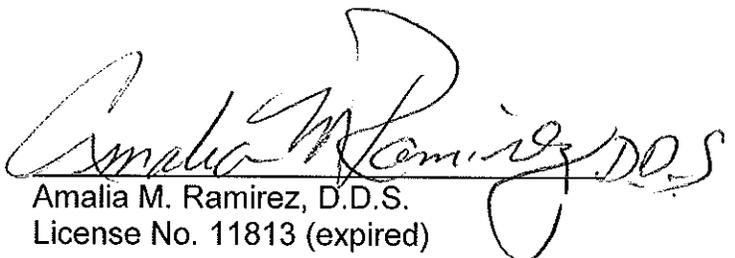
CONSENT

I, Amalia M. Ramirez, D.D.S., acknowledge that I have had the opportunity to be represented by counsel and consult with counsel before entering into this Consent Order. By this Consent and for the purpose of resolving the issues raised by the Board, I agree and accept to be bound by the foregoing Consent Order and its conditions.

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 provided by the law. I agree to forego my opportunity to challenge these allegations. I acknowledge the legal authority and jurisdiction of the Board to initiate these proceedings and to issue and enforce this Consent Order. I affirm that I am waiving my right to appeal any adverse ruling of the Board that might have followed after any such hearing.

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

6-24-2013
Date


Amalia M. Ramirez, D.D.S.
License No. 11813 (expired)

NOTARY

STATE OF Florida

CITY/COUNTY OF ORANGE

I HEREBY CERTIFY that on this 24 day of JUNE, 2013,
before me, a Notary Public of the foregoing State and City/County personally appeared
Amalia M. Ramirez, D.D.S., License No. 11813 (expired), and made oath in due form of
law that signing the foregoing Consent Order was his voluntary act and deed.

AS WITNESSETH my hand and notary seal.



OMAR LOPEZ
NOTARY PUBLIC
STATE OF FLORIDA
Comm# FF007990
Expires 5/27/2017



Notary Public

My commission expires: 5/27/2017