

IN THE MATTER OF	*	BEFORE THE MARYLAND
ZACHARY D. PRESS, D.D.S.	*	STATE BOARD
Applicant	*	OF DENTAL EXAMINERS
LICENSE NUMBER: 9179 (expired)	*	CASE NUMBER: 2016-102

* * * * *

CONSENT ORDER

On or about April 2, 2015, the Maryland State Board of Dental Examiners (the "Board") received an *Application for Dental Licensure by Examination* (the "Application") from **ZACHARY D. PRESS, D.D.S.** (the "Applicant"). Based on its investigation, the Board on December 16, 2015, voted to refer the Applicant's case to the Office of the Attorney General for administrative action pursuant to the Maryland Dentistry Act (the "Act"), codified at Md. Code Ann., Health Occ. I ("Health Occ. I") §§ 4-101 *et seq.* (2014 Repl. Vol.).

On March 2, 2016, prior to the issuance of any notice of agency action, a Case Resolution Conference was held before a committee of the Board. At the conclusion of the conference, the Applicant agreed to enter into this public Consent Order consisting of Findings of Fact, Conclusions of Law, and Order.

FINDINGS OF FACT

The Board makes the following Findings of Fact:

LICENSING INFORMATION

1. The Applicant was initially licensed by the Board to practice dentistry in the State of Maryland on July 16, 1985, under License Number 9179.

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2. On or about April 22, 2009, the Comptroller of Maryland informed the Board that the Applicant had outstanding State tax liabilities that were unresolved. By letter, dated August 10, 2009, the Board notified the Applicant that due to his unresolved State tax liabilities, by law it would not be able to renew his license to practice dentistry in the State of Maryland, which expired on June 30, 2009, until the Board receives notice from the Comptroller that the Applicant's State liabilities have been resolved.

UNLICENSED PRACTICE OF DENTISTRY

3. On or about February 23, 2011, the Board received inquiries from two individuals regarding the Applicant's license status. One of the individuals stated that he/she recently referred patients to the Applicant at his Baltimore office for dental treatment.

4. Based on these inquiries, the Board initiated a complaint and an investigation of the Applicant regarding his unlicensed practice of dentistry in Maryland.

5. In the course of the investigation, Board investigators conducted an unannounced visit of the Applicant's dental office on or about March 3, 2011, and interviewed the Applicant on or about August 31, 2011. During the visit and the Board interview, the Applicant admitted that he was aware his license was expired and that he continued to provide dental treatment to patients after his license expired on June 30, 2009.

6. On or about December 29, 2012, a Board investigator filed a sworn criminal complaint against the Applicant for Practicing Dentistry Without a License, in

violation of Md. Code Ann, Health Occ. § 4-606(a), in the District Court of Maryland for Baltimore City under Case Number 1B02187515.

7. The Applicant appeared for trial in the District Court of Maryland for Baltimore City on or about April 3, 2013, and was found guilty of practicing dentistry without a license between on or about November 19, 2011, and October 1, 2012. The Applicant was granted probation before judgment and placed on supervised probation for a period of eighteen (18) months.

CURRENT APPLICATION

8. On or about April 2, 2015, the Applicant filed an *Application for Dental Licensure by Examination* with the Board.

9. In the course of reviewing the Applicant's Application, the Board received a facsimile letter from the Comptroller of Maryland stating that the Applicant's State tax liabilities were resolved on December 16, 2014.

CONCLUSIONS OF LAW

Based on the foregoing Findings of Fact, the Board concludes as a matter of law that it has grounds to deny the Applicant's Application for dental licensure in the State of Maryland under the following provisions of the Act: § 4-315(a)(16) - behaving . . . unprofessionally . . ., *i.e.* COMAR10.44.23.01C(2) - Engaging in conduct which is unbecoming a member of the dental profession.

However, in light of the Applicant's consent to comply with the terms and conditions set forth below, the Board agrees to grant the Applicant a license, subject to those terms and conditions.

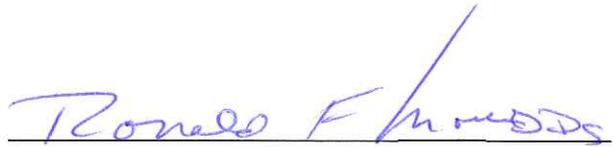
ORDER

Based on the foregoing Findings of Fact and Conclusions of Law, it is this 1st day of JUNE, 2016, by a majority of the Board considering this case:

ORDERED that the Applicant's *Application for Dental Licensure by Examination*, filed on April 2, 2015, shall be **GRANTED** upon the Board's receipt of the Applicant's submission of written verification that he has passed the American Board of Dental Examiners (ADEX) Dental Examination administered by the Commission on Dental Competency Assessment (CDCA), including both the Diagnostic Skills Examination and Clinic-Based Examinations; and it is further

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

ORDERED that this Consent Order shall be a **PUBLIC DOCUMENT** pursuant to Md. Code Ann., Gen. Prov., §§ 4-101 *et seq.* (2014).


Ronald F. Moser, D.D.S.
President
Maryland State Board of Dental Examiners

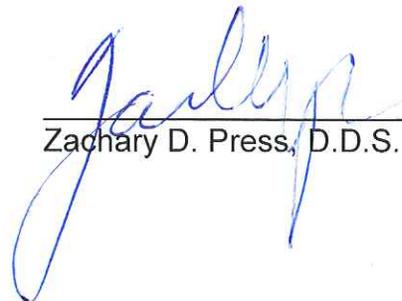
CONSENT

I, Zachary D. Press, D.D.S., acknowledge that I am represented by counsel and have consulted 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.

5/17/16
Date


Zachary D. Press, D.D.S.

NOTARY

STATE OF MARYLAND

CITY/COUNTY OF Anne Arundel

I HEREBY CERTIFY that on this 17th day of may,
2016, before me, a Notary Public of the foregoing State and City/County personally
appear Zachary D. Press, D.D.S., 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.

Joy Clark
Notary Public
JOY CLARK
NOTARY PUBLIC STATE OF MARYLAND
My Commission Expires September 9, 2017
My commission expires: 9/9/2017

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