

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

BACKGROUND

1. At all times relevant hereto, the Respondent was and is licensed to practice dentistry in the State of Maryland. The Respondent was originally licensed to practice dentistry in Maryland on July 14, 1970, under License Number 4853.
2. At all times relevant hereto, the Respondent maintained an office for the practice of dentistry at 3601 Leonardtown Road, Waldorf, Maryland 20604.
3. On or about July 3, 2013, the Board charged the Respondent under the Maryland Dentistry Act (the "Act"), Md. Code Ann., Health Occ. ("Health Occ."), §§ 4-

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.

101 *et seq.* (2009 Repl. Vol.), for practicing dentistry in a professionally incompetent manner or in a grossly incompetent manner, in violation of § 4-315(a)(6); behaving dishonorably or unprofessionally, or violating a professional code of ethics pertaining to the dentistry profession, in violation of § 4-315(a)(16); and failing to comply with the Centers for Disease Control's guidelines on universal precautions, in violation of § 4-315(a)(28).

4. The Respondent resolved the Board's charges by entering into a public Consent Order, dated December 9, 2013, in which the Board made factual and legal findings that the Respondent violated the provisions of the Act for which he was charged. The Board suspended the Respondent's license for a minimum of seven days and until he passed a Centers for Disease Control ("CDC") inspection of his practice by a Board-approved inspector.

5. A few days after the effective date of the Consent Order, on or about December 12, 2013, the Respondent made a series of hostile telephone calls to Board staff regarding the terms and conditions of the Consent Order. In a telephone call to a Board investigator, the Respondent stated that he was in a "life or death situation" and threatened that "If I die, then others will die too." Based on those threats, the Board by an Order for Summary Suspension, dated December 30, 2013, summarily suspended the Respondent's license to practice dentistry in Maryland.

6. Following a post-deprivation show cause hearing on January 15, 2014, before the Board, the Board, by order dated January 23, 2014, continued the suspension of the Respondent's license for a minimum of seven days and until he passed a CDC inspection of his practice by a Board-approved inspector.

7. On or about March 12, 2014, a Board-approved inspector (the "Inspector") conducted a CDC inspection of the Respondent's practice.² Based on the Inspector's inspection report, the Board, by order dated March 19, 2014, lifted the suspension of the Respondent's license and placed him on probation for a minimum of one year, during which his practice was subject to three unannounced CDC inspections and he was ordered to complete a six-hour Board-approved CDC course.

UNANNOUNCED CDS INSPECTION

8. Pursuant to the Respondent's probationary terms and conditions, the Inspector conducted an unannounced CDC inspection of his practice on or about April 24, 2014. During this inspection, the Inspector was able to observe the Respondent and his assistant providing dental care to patients.

9. In a report, dated April 25, 2014, the Inspector found that the Respondent violated CDC guidelines for the reasons set forth below.

Personal Protective Equipment ("PPE")

10. The Respondent failed to comply with CDC guidelines pertaining to PPE for reasons including:

- a. Failing to wear his mask appropriately, by not covering his nose;
- b. Failing to provide protective eyewear to his patients while using high-speed instruments and bleach during an endodontic procedure; and
- c. Failing to use protective eyewear during laser procedures.

² Because the Respondent's license was suspended at the time of the March 12, 2014, CDC inspection, the inspection did not include observation of actual patient care.

Needle Recapping

11. The Respondent failed to comply with CDC guidelines pertaining to safe sharp management by passing a contaminated, unsheathed syringe to his assistant following administration of two injections to a patient.

Cross-Contamination

12. The Respondent failed to comply with CDC guidelines pertaining to cross-contamination for reasons including:

- a. During patient care, wearing contaminated PPE to an adjacent room and making contact with multiple surfaces; and
- b. Allowing his assistant to wear an over-glove on one hand only, instead of on both hands, during patient care.

Disinfection/Laboratory

13. The Respondent failed to comply with CDC guidelines pertaining to laboratory disinfection by leaving non-disinfected laboratory cases in the open.

Chemical Safety

14. The Respondent failed to comply with CDC guidelines pertaining to chemical safety by having two unlabeled chemical bottles in two operatories.

CONCLUSIONS OF LAW

Based on the foregoing investigative findings, the Board concludes as a matter of law that the Respondent's actions constitute a substantial likelihood that he poses a risk of harm to the public health, safety or welfare, which 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 11th day of June, 2014, by a majority of the Board considering this case:

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.).



Maurice S. Miles, D.D.S.
President
Maryland State Board of Dental Examiners

NOTICE OF HEARING

A Post-Deprivation Show Cause Hearing to determine why the Order for Summary Suspension should not continue will be held before the Board on **Wednesday, June 18, 2014, 3:00 p.m.** at Spring Grove Hospital Center, Benjamin Rush Building, 55 Wade Avenue, Baltimore, Maryland 21228.

At the conclusion of the Post-Deprivation Show Cause hearing, 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.*