

IN THE MATTER OF  
VICTOR DODA  
License Number M00987

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BEFORE THE  
MARYLAND STATE BOARD  
OF MORTICIANS AND  
FUNERAL DIRECTORS

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**CONSENT ORDER OF REPRIMAND AND PROBATION**

The Maryland State Board of Morticians and Funeral Directors (the “Board”) received information regarding the mortuary science practice of Victor Doda (the “Respondent”). Based upon that information, on December 10, 2014, the Respondent attended a settlement conference with Board representatives in an effort to resolve the matter prior to the issuance of formal charges. The Applicant and the Board subsequently agreed to the following Findings of Fact, Conclusions of Law and Order.

**FINDINGS OF FACT**

The Board finds that:

1. On or about August 13, 1996, the Board issued the Respondent a license to practice mortuary science in the State of Maryland, license number M00987.
2. On or about November 5, 2013, the Board issued a “Pre-Charge Consent Order,” among other things, suspending the Respondent’s license for five days and placing that license on probation for a minimum of one year. That Consent Order was based upon findings of fact and conclusions of law that the Respondent had violated the Maryland Morticians and Funeral Directors Act. As of the date of this Order, the Respondent had not petitioned the Board for the termination of that probation

3. By letter dated October 6, 2014, the Maryland Department of Health and Mental Hygiene's Division of Vital Records (the "Division") notified the Board that the Respondent had filed a death certificate more than 30 days after a decedent's death.

4. By letter dated October 14, 2014, the Division notified the Board that the Respondent filed a death certificate more than 60 days after a decedent's death.

5. Maryland law requires death certificates to be filed within 72 hours, or 3 days, of a decedent's death, without exception. *See* Md. Code Ann., Health-General § 4-212(g).

6. The Board finds that, on two separate occasions, the Respondent filed death certificates beyond the 72-hour limit provided by law. Indeed, one decedent's death certificate was filed over 60 days late. Thus, because the Respondent was aware or should have been aware of the 72-hour filing requirement for death certificates, the Board finds that the Respondent acted in an unprofessional manner within the meaning of Md. Code Ann., Health Occ. § 7-316(a)(26).

### **CONCLUSIONS OF LAW**

Based on the foregoing Findings of Fact, the Board concludes that the Respondent violated Md. Code Ann., Health Occ. § 7-316(a)(26) ("Commits an act of unprofessional conduct in the practice of mortuary science").

### **ORDER**

Based upon the foregoing Findings of Fact and Conclusions of Law, it is hereby:

**ORDERED** that the license of the Respondent to practice mortuary science in the State of Maryland, license number M00987, is hereby **REPRIMANDED**; and it is further

**ORDERED** that the probation, and all probationary terms thereto, as set forth in the Board's

November 5, 2013 “Pre-Charge Consent Order” is hereby extended for a minimum of **ONE (1) ADDITIONAL YEAR**; and it is further

**ORDERED** that in addition to the continuing education units required by Section 7-314 of the Health Occupations Article and the Code of Maryland Regulations 10.29.05 *et seq.*, the Respondent shall complete **TWELVE (12) continuing education credits within TWELVE (12) MONTHS of the effective date of this Order.** At least **TWO (2) of the continuing education credits shall pertain to VITAL RECORDS** and at least **TWO (2) of the continuing education credits shall pertain to ETHICS**. The Respondent’s failure to submit to the Board satisfactory evidence of the completion of the TWELVE (12) continuing education credits within TWELVE (12) MONTHS from the effective date of this Order shall constitute a violation of probation and a violation of this Order; and it is further

**ORDERED** that the Respondent shall comply with the Maryland Morticians and Funeral Directors Act and the Board’s regulations. Any violation of the Maryland Morticians and Funeral Directors Act or the Board’s regulations shall constitute a violation of probation and a violation of this Order; and it is further

**ORDERED** that the Respondent shall pay to the Board a monetary fine of **ONE THOUSAND DOLLARS AND ZERO CENTS (\$1000.00)** in full by money order or cashier’s check made payable to the Board and delivered personally or by certified mail to the Board within **NINETY (90) DAYS** of the effective date of this Order. Failure to pay this monetary fine in full to the Board within **NINETY (90) DAYS** of the effective date of this Order shall constitute a violation of probation and a violation of this Order; and it is further

**ORDERED** that the Respondent shall be responsible for paying all costs required to comply with the terms and conditions of this Consent Order; and it is further

**ORDERED** that, in the event the Board grants to the Respondent any other type of license, certificate, or permit that the Board is authorized to grant, that license, certificate, or permit may be subject to the all of the same conditions imposed in this Consent Order; and it is further

**ORDERED** that if the Respondent violates any of the terms and conditions of this Consent Order, the Board, in its discretion, after notice and an opportunity for an evidentiary hearing before the Board, if there is a genuine dispute as to the material fact(s), or an opportunity for a show cause hearing before the Board, may impose any other disciplinary sanction which the Board may have imposed in this case under Md. Code Ann., Health Occ. § 7-316 including a reprimand, additional probation, suspension, revocation, and/or monetary fine, said violation being proven by a preponderance of the evidence; and it is further

**ORDERED** that no earlier than **ONE (1) YEAR** after the effective date of this Consent Order, the Board will consider a petition for termination of the Respondent's probationary status, provided that the Respondent has been compliant with the probationary terms of this Consent Order and the Board's November 5, 2013 "Pre-Charge Consent Order" and safely employed as a mortician for at least **NINE (9) MONTHS** immediately preceding the petition for termination; and it is further

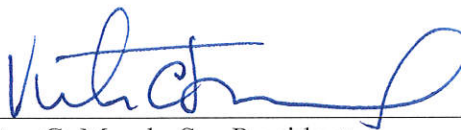
**ORDERED** that there shall be no early termination of the one (1) year extended probationary period. The Board will not consider any requests from the Respondent to terminate probation any earlier than one (1) year from the effective date of this Order; and it is further

**ORDERED** that this document is a **PUBLIC DOCUMENT** under Md. Code Ann., General

Provisions § 4-333(b).

5/13/15

Date

A handwritten signature in blue ink, appearing to read "Victor C. March, Sr.", written over a horizontal line.

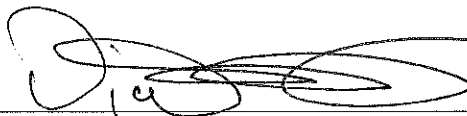
Victor C. March, Sr., President

Maryland State Board of Morticians and Funeral Directors

**CONSENT**

By this Consent, I acknowledge that I have read this Consent Order in its entirety and I hereby admit the truth of the Findings of Fact, and accept and submit to 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 legal counsel authorized to practice law in Maryland, to confront witnesses, to give testimony, to request subpoenas for witnesses, to call witnesses on my own behalf, to introduce testimony and evidence on my own behalf, and to all other substantive and procedural protections provided by law. I waive these rights, as well as any appeal rights under Maryland Code Annotated, State Government Article § 10-222.

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

 4/10/2015  
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**Victor Doda, M00987**