

IN THE MATTER OF  
MYRON PRICE  
APPLICANT

\* BEFORE THE MARYLAND STATE  
\* BOARD FOR THE CERTIFICATION  
\* OF RESIDENTIAL CHILD CARE  
\* PROGRAM PROFESSIONALS  
\* CASE NUMBER: 2011-001

\* \* \* \* \*

**FINAL ORDER OF DENIAL OF APPLICATION**

Based on information received, the Maryland State Board for Certification of Residential Child Care Program Professionals (the "Board") provided Myron Price with Notice of the Board's initial denial of his Application for Certification under the Maryland Certification of Residential Child Care Program Professionals Act (the "Act"), Md. Health Occ. Code Ann. ("Health Occ.") §§ 20-101 *et seq.* (2009 Repl. Vol.).

On March 10, 2011, the Applicant received the Board's Notice of Initial Denial of Application for Certification. The Board notified the Applicant in the Notice that this Final Order would be executed thirty (30) days from the Applicant's receipt of the Notice unless the Applicant requested a hearing. The Applicant's written request was due on April 10, 2011. The Applicant did not request a hearing by April 10, 2010.

The Board makes the following findings of fact:

**FINDINGS OF FACT**

I. **Background**

1. On or about September 10, 2010, the Applicant submitted to the Board an Application for Initial Certification Residential Child Care Administrator (RCCPA) (the "Application").

2. On September 20, 2010, the Board received the Application.

3. The Application requires an applicant to respond to a series of questions in regard to "Felony and Professional Charges and Convictions."

4. The Applicant responded "yes" to Question 11(a) which asks if an applicant has ever been convicted of a misdemeanor or felony, including convictions in another state.

5. If an applicant has responded "yes" to any of the questions regarding charges and convictions, an applicant is required to provide a complete explanation and a certified copy of the court documents of the conviction.

6. The Applicant included with the Application, an Amended Judgment in a Criminal Case, in the case of *United States of America v. Myron Price*, Case No.AMD-07cr312, dated January 30, 2008 (the "Amended Judgment"). The reason for the amendment was checked as "Correction of Sentence for Clerical Mistake."

7. The Amended Judgment stated that the defendant pled guilty to Count 2 of the indictment. The offense, having concluded on October 22, 2002, was "False Claims Against the Government" under Title 18 U.S.C § 287. Counts 1, 3, 4, 5, 6, 7, 8, and 9 were dismissed. The Applicant was sentenced to 24 months in the United States Bureau of Prisons (Cumberland, Maryland) beginning on April 11, 2008. Upon release, the Applicant was placed on supervised release for three years and was required to pay restitution to the U.S. Army Corps of Engineers in the amount of \$379,436.55.

8. On September 20, 2010, the Board sent correspondence to the Applicant requesting a detailed explanation of the charges, what action was taken and why, and a copy of any disposition agreement.

9. On September 21, 2010, the Applicant submitted an explanation to the Board. The Applicant stated that he had been convicted on a federal charge of "False

Statements.” The Applicant explained that he had been a Program Manager for the Army Corps of Engineers for 14 years, a position which required frequent travel to various military installations in Virginia, Maryland, and the District of Columbia. An internal audit in 2002 which reviewed his travel vouchers determined that on certain occasions the Applicant was at a location different from where he had been assigned. The Applicant states that in 2005, he was asked to “re-create” new travel vouchers from memory. The Applicant stated that he was not able to re-create vouchers which “compared to what the government evidence showed.” According to the Applicant, all monies covering his salary and travel during the period of the investigation are due the government in restitution.

10. On December 10, 2010, the Board reviewed the Applicant’s Application and voted to initially deny the certification based on the following alleged violations of the Act.

**II. Good Moral Character**

11. To qualify for a certificate as a program administrator, an applicant shall be of good moral character as required under Health Occ. § 20-302(b) of the Act.

12. The Applicant’s conviction of making “False Claims Against the Government” in the amount of \$379,436.55 is evidence that the Applicant lacks good moral character.

**III. Conviction of Felony or Crime of Moral Turpitude**

13. The Board may deny a certificate to any applicant who engages in any of the prohibited acts under Health Occ. § 20-313(b)(4) of the Act.

14. The Applicant's plea of guilty to "False Claims Against the Government" constitutes evidence of being convicted of or pleading guilty or nolo contendere to a felony or to a crime involving moral turpitude in violation of Health Occ. § 20-313(b)(4).

**IV. Basis for Denial**

15. The Board bases its denial of the Applicant's application for certification on the Applicant's lack of good moral character as required under Health Occ. §20 - 302(b) and the Applicant's conviction of a felony or crime of moral turpitude, in violation of Health Occ. § 20-313(b)(4).

**CONCLUSION OF LAW**

Based on the above Findings of Fact, the Board concludes as a matter of law that the Applicant has failed to meet the requirement to be certified under Health Occ. § 20-302 (b) of good moral character; and engaged in prohibited acts under the Act, having been convicted of a felony fraud in violation of H.O. § 19-311(8).

**ORDER**

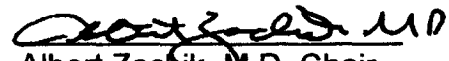
Based on the foregoing Findings of Fact and Conclusions of Law, it is this 8<sup>th</sup> day of April, 2011, by an affirmative vote of a majority of the quorum of the Board considering the case,

**ORDERED** that the Applicant's Application for Certification as a Residential Child Care Program Administrator in the State of Maryland be and hereby is **DENIED**; and be it further

**ORDERED** that this is a Final Order of the Board, and as such, is a **PUBLIC DOCUMENT** pursuant to Md. State Gov't Code Ann § 10-611 *et seq.* (2009 Repl. Vol.).

May 2, 2011

Date



Albert Zachik, M.D. Chair  
Maryland Board for Certification of  
Residential Child Care Program  
Professionals

**NOTICE OF RIGHT OF APPEAL**

Pursuant to Health Occ. Code Ann. § 20-315, the Applicant has the right to appeal this decision to the Board of Review and then take any further appeal as allowed by the Administrative Procedure Act.