

IN THE MATTER OF
BERNARD KRUPP, D.D.S.

* BEFORE THE
* MARYLAND STATE BOARD
* OF DENTAL EXAMINERS
*

License Number 7754 / Case No. 2024-063

CONSENT ORDER OF PROBATION

On or about September 20, 2023, the Maryland State Board of Dental Examiners (the "Board") received a complaint regarding Bernard Krupp, D.D.S., license number 7754 (the "Respondent"). Based on that complaint, the Board initiated an investigation and solicited a response from the Respondent. Based on the Respondent's response, on August 14, 2024, the Respondent attended an informal conference with representatives from the Board in an attempt to settle this matter without the necessity of issuing formal disciplinary charges. Subsequently, the Board and the Respondent agreed to the following order.

I. FINDINGS OF FACT

The Board makes the following findings of fact:

1. On or about September 20, 2023, the Board received a complaint from an individual and former family member ("Person A") of the Respondent alleging that the Respondent provided her with Ketamine from the Respondent's dental practice in order to treat her depression.

2. Based on those allegations, the Board initiated a complaint and solicited a response to those allegations from the Respondent.

3. On or about January 2, 2024, the Board received the Respondent's narrative response. In that response, the Respondent admitted to providing Ketamine to Person A in order "to help her with severe depression." According to the Respondent, this was done "on a few

isolated occasions" in 2017. According to the Respondent, the Respondent knew Person A had been treated with Ketamine for depression, and Person A requested Ketamine from the Respondent knowing that the Respondent used the drug regularly in his practice.

4. The Board notes that Ketamine is a Schedule III controlled dangerous substance that is used commonly by dentists as an anesthetic. Ketamine is also used by some health care providers to treat depression in Maryland. The Board further notes that treatment of any mental health disorder is outside of a dentist's scope of practice as set forth in Md. Code Ann., Health Occ. § 4-101(l).

5. Based on the Respondent's admissions and based on the foregoing, the Board finds that he behaved unprofessionally within the meaning of Md. Code Ann., Health Occ. § 4-315(a)(16) and COMAR 10.44.23.03. Specifically, the Board finds it unprofessional conduct for a dentist to divert a potentially addictive, controlled dangerous substance from their practice and provide it to a family member, particularly a drug with the potential for addiction as Ketamine. Furthermore, the Board finds it unprofessional conduct for a dentist to treat or attempt to treat a mental health disorder.

6. The Board finds that the Respondent's violations of the Maryland Dentistry Act fall within category M.(1) of the Board's sanctioning guidelines. See COMAR 10.44.31.06.M.(1). The range of potential sanctions under category M.(1) includes reprimand with conditions to revocation. *Id.* In this case, it should be noted that the Respondent was highly cooperative with the Board's investigation and candid in his response. That cooperation and candor are reflected in the Board's consideration of its sanction in this matter.

III. CONCLUSIONS OF LAW

Based on the foregoing Findings of Fact, the Board concludes that the Respondent violated H.O. § 4-315(a):

(16) Behaves ... unprofessionally...[.]

IV. ORDER

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

ORDERED that, beginning on the effective date of this Order, the license of the Respondent to practice dentistry in the State of Maryland, License No. 7754 is placed on **PROBATION** for a minimum of **TWO (2) YEARS** subject to the following terms and conditions:

1. The Respondent's status as a dentist will be listed in the Board's computer records and website as being on "**Probation**";
2. Within **SIX (6) MONTHS** of the date of execution of this Consent Order, the Respondent shall enroll in and successfully complete a Board-approved course or courses in professional ethics, totaling at least six (6) credit hours, which shall not be counted toward his continuing education requirements for license renewal. That course may be in-person or may be conducted virtually, provided the course is live and interactive (that is, not a taped webinar).
3. Within **SIX (6) MONTHS** of the date of execution of this Consent Order, the Respondent shall pay to the Board a monetary fine of **FIVE THOUSAND DOLLARS AND ZERO CENTS (\$5,000.00)** in full by money order or cashier's check made payable to the Board and delivered personally or by certified mail. Failure to pay this

monetary fine in full to the Board within **SIX (6) MONTHS** of the date of execution of this Order shall constitute a violation of probation and this Order.

4. The Respondent shall obey all state and federal laws.

ORDERED that if the Board has reason to believe that the Respondent has failed to comply with any term or condition of probation or this Consent Order, the Respondent shall be given notice and an opportunity for a hearing. If there is a genuine dispute as to a material fact, the hearing shall be an evidentiary hearing before the Board. If there is no genuine dispute as to a material fact, the Respondent shall be given a show cause hearing before the Board; and it is further

ORDERED that after the appropriate hearing, if the Board determines that the Respondent has failed to comply with any term or condition of probation or this Consent Order, the Board may reprimand the Respondent, place the Respondent on probation with appropriate terms and conditions, or suspend or revoke the Respondent's license to practice dentistry in Maryland. The Board may, in addition to one or more of the sanctions set forth above, impose a civil monetary fine upon the Respondent; and it is further

ORDERED that no earlier than **TWO (2) YEARS** after the effective date of this Order, the Board will consider a petition for termination of the Respondent's probationary status, provided that the Respondent has completed and been compliant with the probationary terms of this Order; and it is further

ORDERED that the Respondent shall be responsible for all costs incurred under this Consent Order; and it is further

ORDERED that the Effective Date of this Consent Order is the date on which the

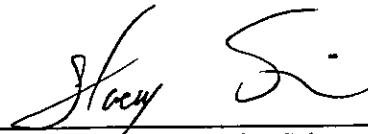
Consent Order is executed by the Board Executive Director, and it is further

ORDERED that for purposes of public disclosure and as permitted by Md. Code Ann., Gen. Prov. § 4-333(b)(6), this document consists of the foregoing Findings of Fact, Conclusions of Law, and is reportable to any entity to whom the Board is obligated to report; and it is further

ORDERED that this document is a **PUBLIC DOCUMENT** under Md. Code Ann., General Provisions §§ 4-101 *et seq.*

9/18/2024

Date



Stacey Scriven, Executive Director
Maryland State Board of Dental Examiners

CONSENT

By this Consent, I, Bernard Krupp, D.D.S., agree and accept to be bound by this Consent Order and its conditions and restrictions. I waive any rights I may have had to contest the Findings of Fact and Conclusions of Law.

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

I sign this Consent Order after having had the opportunity to consult with counsel, and I fully understand and comprehend the language, meaning and terms of this Consent Order. I voluntarily sign this Order and understand its effect.

Sept 10th 2024
Date

Bernard Krupp
Bernard Krupp, D.D.S.
Respondent

RECEIVED
SEP 13 2024
BOARD OF DENTAL EXAMINERS

COPY

NOTARY PUBLIC

STATE OF Maryland

CITY/COUNTY OF: Baltimore County

I HEREBY CERTIFY that on this 10th day of September 2024,
before me, a Notary Public of the State and County aforesaid, personally appeared Bernard
Krupp, D.D.S., and gave oath in due form of law that the foregoing Consent Order was his
voluntary act and deed.

AS WITNESS, my hand and Notary Seal.



Angela G. Mays
Angela G. Mays
Notary Public

My commission expires: 05/18/2028

RECEIVED

SEP 13 2024

BOARD OF DENTAL EXAMINERS

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