IN THE MATTER OF	*	**BEFORE THE**
	*	
BYRON BYRD, D.D.S.	*	**MARYLAND STATE BOARD**
	*	
License Number 5893 / Case No. 2025-102	*	**OF DENTAL EXAMINERS**

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CONSENT ORDER OF PROBATION

On or about December 3, 2024, the Maryland State Board of Dental Examiners (the "Board") received a complaint regarding Byron Byrd, D.D.S., license number 5893 (the "Respondent"). Based on that complaint, the Board initiated an investigation and solicited a response from the Respondent. In addition, the Board ordered an unannounced inspection to occur at the Respondent's practice to ensure compliance with applicable Centers for Disease Control ("CDC") standards and guidelines. Based on the Respondent's response and the inspection report, on August 6, 2025, 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. At all times relevant to this Order, the Respondent was a dentist licensed in the State of Maryland, license number 5893, and was the owner of a dental practice located in Frederick, Maryland. The Respondent has been licensed by the Board since 1975.

2. On or about September 20, 2023, the Board received a complaint from an individual alleging, among other things, potential non-compliance with applicable CDC standards and guidelines.

3. Based on those allegations, the Board initiated an investigation and solicited a response to those allegations from the Respondent. In addition, pursuant to Md. Code Ann., Health Occ. ("HO") § 4-205(a)(6), the Board authorized an inspection of the Respondent's practice to determine compliance with applicable CDC standards and guidelines.

4. On or about January 29, 2025, a Board-assigned inspector conducted an unannounced inspection of the Respondent's practice utilizing the publicly available CDC Infection Prevention Checklist for Dental Settings. On or about January 31, 2025, the Board-assigned inspector provided an inspection report to the Board. According to that report, the inspector noted several instances of non-compliance with CDC guidelines. Among those:

- The office could not provide an infection control manual on request. In addition, no practice-specific infection prevention policies or procedures for the practice were available for review.

- Although the office did have documentation that an infection control training for office staff took place on March 29, 2024, there was no evidence that infection control prevention training for new employees took place.

- Safety glasses and face shields were not consistently worn by clinical staff while treating patients.

- There was no documentation regarding the specific protocol to be followed or the training to process and sterilize reusable dental instruments, equipment, and devices according to the manufacturer's specific directions. The inspector noted that sterilization pouches awaiting processing had water inside them, indicating that the instruments were not completely dry prior to being placed in the pouch. Moreover, the pouches did not indicate a date of processing.

- Environmental and infection control barriers were not available or used in the practice.

- Patients were not screened for respiratory symptoms prior to treatment.

5. The inspection indicated that routine water line testing and routine spore testing conformed with CDC guidelines.

6. Subsequent to the Board's inspection, the Respondent submitted a letter to the Board. In that letter, the Respondent acknowledged that his practice's "written programs were not kept up to date."

7. The Respondent submitted evidence to the Board that he has hired an infection control consultant to assist his practice in coming into compliance. Specifically, the Respondent submitted a practice-specific control plan, a practice-specific set of clinical standard operating procedures, and a practice-specific infectious disease preparedness and response plan. In addition, the Respondent submitted proof of staff vaccinations and indicated that the issue regarding the moisture in the sterilization pouches had been remediated.

8. Finally, the Respondent submitted a report, dated August 11, 2025, from his retained infection control consultant. According to the report, the Respondent's practice was reviewed and inspected on July 8, 9, 10, and indicated present compliance with applicable CDC guidelines.

9. Based on observations made by the Board Inspector on January 29, 2025, the Respondent failed to ensure compliance with applicable CDC guidelines. However, after being notified of the violations, the Respondent immediately engaged an infection control specialist and consultant to ensure compliance. As stated above, the consultant issued a thorough report noting compliance and indicated that the Respondent would be engaging her services for inspection and training. The consultant also disclosed that she would be acting as an on-call resource for the Respondent should any issues arise in the future.

10. The Board finds that the Respondent's violations of the Maryland Dentistry Act fall within category F.(2) of the Board's sanctioning guidelines. *See* COMAR 10.44.31.06.F.(2). The range of potential sanctions under category F.(2) is a minimum of one (1) year of probation to a maximum of three (3) years of suspension and, on reinstatement, probation for up to 3 years, and conditions. *Id.* In this case, it should be noted that the Respondent was highly cooperative with the Board's investigation and candid in his response. Furthermore, the Respondent has no record of prior public discipline. That cooperation, candor, lack of prior public disciplinary history, and willingness to make necessary and expedient improvements to his practice 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...[;] and

(30) Except in an emergency life-threatening situation where it is not feasible or practicable, fails to comply with the Centers for Disease Control and Prevention's guidelines on universal precautions.

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. 5893 is placed on **PROBATION** for a minimum of **ONE (1) YEAR** 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. During the probationary period, the Respondent shall be subject to quarterly unannounced onsite inspections by a Board-assigned inspector;

3. The Board-assigned inspector shall provide inspection reports to the Board within ten (10) business days of the date of each inspection and may consult with the Board regarding the findings of the inspections;

4. The Respondent shall, at all times, practice dentistry in accordance with the Act, related regulations, and shall comply with CDC and the Occupational Safety and Health Administration's ("OSHA") guidelines on infection control for dental healthcare settings; and

5. At any time during the period of probation, if the Board makes a finding that the Respondent is not in compliance with CDC and/or OSHA guidelines, the Respondent shall have the opportunity to correct the infraction(s) within ten (10) days and shall be subject to a repeat inspection within ten (10) days to confirm that the infraction(s) have been remedied.

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 **ONE (1) YEAR** 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.*

11/12/25
Date

Stacey Scriven, Executive Director
Maryland State Board of Dental Examiners

CONSENT

By this Consent, I, Byron Byrd, 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.

Aug 26, 2025
Date

Byron K Byrd DDS
Byron Byrd, D.D.S.
Respondent

NOTARY PUBLIC

STATE OF Maryland

CITY/COUNTY OF: Frederick

I HEREBY CERTIFY that on this 26 day of August 2025, before me, a Notary Public of the State and County aforesaid, personally appeared Byron Byrd, 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.

Notary Public

My commission expires: 9/8/25

ALEXANDER MATTHEW GRAY
Notary Public
Frederick County
Maryland
My Commission Expires Sept. 8, 2025