

IN THE MATTER OF
DAWN M. RILEY, DRT

Respondent

Certificate Number: 15440

* BEFORE THE MARYLAND
* STATE BOARD OF
* DENTAL EXAMINERS
* Case Number: 2019-029

* * * * *

FINAL ORDER

On the 16th day of May, 2019, the Maryland State Board of Dental Examiners (the "Board") notified **DAWN M. RILEY, DRT** (Dental Radiation Technologist) (the "Respondent"), Certificate Number 15440, of the Board's intent to revoke her certificate to practice dental radiation technology in the State of Maryland pursuant to the Maryland Dentistry Act (the "Act"), codified at Md. Code Ann., Health Occ. ("Health Occ.") §§ 4-101 *et seq.* (2014 Repl. Vol. and 2018 Supp.).

Specifically, the Board based its action on the Respondent's violation of the following provisions of the Act and Md. Code Regs. ("COMAR"):

Health Occ. § 4-505. Certification of dental radiation technologists.

- (a) *"Dental radiation technologists" and "practice dental radiation technology" defined; rules and regulations; competency requirements.* – The Board of Dental Examiners shall:
 - (2) Adopt rules and regulations concerning qualifications, training, certification, monitoring of, and enforcement requirements for a dental radiation technologist[.]
- (d) *Certification required for practice.* – After July 1, 1988, an individual may not practice dental radiation technology unless certified by the Board.

COMAR 10.44.19.12. Penalties for Violations of These Regulations.

A. Subject to the hearing provisions of this chapter, the Board may . . . reprimand any certified dental radiation technologist, place any certified dental radiation technologist on probation, or suspend or revoke the certificate of any certified dental radiation technologist, if the holder of the certificate:

(6) Violates any rule or regulation adopted by the Board; [and]

(15) Behaves dishonorably or unprofessionally.

COMAR 10.44.19.02. Certification Required.

An individual shall be currently certified by the Board as a dental radiation technologist before the individual may practice dental radiation technology on a human being in this State.

COMAR 10.44.19.08. Prohibitions.

A. An individual may not practice dental radiation technology on a human being in this State unless the individual is certified by the Board as a dental radiation technologist.

In its Notice, the Board informed the Respondent that she had the opportunity to request a hearing before the Board by submitting a request in writing to the Board's Executive Director within thirty days of service of the Notice. More than thirty days have elapsed since the service of the Notice on the Respondent, and the Respondent has not requested a hearing.

FINDINGS OF FACT

The Board makes the following findings of fact:

1. The Respondent was originally certified to practice dental radiation technology in the State of Maryland on May 28, 2009, under Certificate Number 15440.¹

2. On or about March 1, 2011, the Respondent allowed her Maryland dental radiation technologist certificate number 15440 to expire without filing for a renewal.

3. On or about March 6, 2018, the Board received an *Application for Reinstatement of Dental Radiation Technologist Certificate* (the “Reinstatement Application”) from the Respondent.

4. By letter dated March 14, 2018, the Board requested that the Respondent provide a notarized statement indicating the last time the Respondent took a radiograph, which was a requirement of the Reinstatement Application.

5. On or about July 20, 2018, the Board received a signed and notarized statement, dated July 19, 2018, in which the Respondent stated, “I Dawn Marie Riley Took My last x-ray in May of 2015. I am Currently Working the Front Desk.”

6. The Board reinstated the Respondent’s dental radiation technology certificate on or about August 1, 2018 but initiated an investigation of the Respondent for practicing dental radiation technology without a current certificate.

CONCLUSIONS OF LAW

Based on the foregoing Findings of Fact, the Board concludes as a matter of law that the Respondent’s practice of dental radiation technology in or around May of 2015 in Maryland, while her dental radiation technologist certificate number 15440 was expired

¹ The Respondent was previously held a dental radiation technologist certificate, Certificate Number 5383, under the name, Dawn M. Stark. The Respondent allowed Certificate Number 5383 to expire on March 1, 1993, without filing for a renewal.

constitutes: violating any rule or regulation adopted by the Board, *i.e.* COMAR 10.44.19.02 and COMAR 10.44.19.08A, in violation of Health Occ. § 4-505(a)(2) and (d), and COMAR 10.44.19.12A(6); and behaving dishonorably or unprofessionally, in violation of Health Occ. § 4-505(a)(2) and COMAR 10.44.19.12A(15).

ORDER

Based on the foregoing Findings of Fact and Conclusions of Law, it is, by the affirmative vote of a majority of the Board considering this case:

ORDERED that the Respondent Dawn M. Riley's certificate to practice dental radiation technology in the State of Maryland under Certificate Number 15440 be and hereby is **REVOKED**; and it is further

ORDERED that the Respondent is prohibited from practicing dental radiation technology in the State of Maryland; and it is further

ORDERED that this Order is a **PUBLIC DOCUMENT** pursuant to Md. Code Ann., Gen. Provisions §§ 4-101 *et seq.* (2014).

June 19, 2019
Date

Francis X. McLaughlin, Jr.
Francis X. McLaughlin, Jr.
Executive Director
Maryland State Board of Dental Examiners

NOTICE OF RIGHT TO APPEAL

Pursuant to Md. Code Ann., Health Occ. § 4-319(b) (2014 Repl. Vol.), you have a right to take a direct judicial appeal. A Petition for Judicial Review must be filed within thirty (30) days of service of this Order and shall be made as provided for judicial review

of a final decision in the Md. Code Ann., State Gov't II §§ 10-201 *et seq.* (2014 Repl. Vol.) and Title 7, Chapter 200 of the Maryland Rules.