

Kim Vanoo, D.R.T.
1611 Aberdeen Road
Towson, Maryland 21286

Date: 11/13/17

Arthur C. Jee, D.M.D., President
Maryland State Board of Dental Examiners
Benjamin Rush Building
55 Wade Avenue/Tulip Drive
Catonsville, Maryland 21228

RE: Surrender of Certificate to Practice Dental Radiation Technology
Certificate Number: 10644
Case Number: 2016-112

Dear Dr. Jee and Members of the Board:

Please be advised that I have decided to **SURRENDER** my certificate to practice dental radiation technology in the State of Maryland, Certificate Number 10644, effective immediately upon the Board's acceptance of this letter. I understand that upon surrender of my certificate, I may not practice dental radiation technology in the State of Maryland as it is defined in the Maryland Dentistry Act (the "Act"), Md. Code Ann., Health Occ. I ("Health Occ."), §§ 4-101 *et seq.*, (2014 Repl. Vol.) and other applicable law. In other words, as of the effective date of this Letter of Surrender, I understand that I am in the same position as an uncertified individual in the State of Maryland.

I understand that this Letter of Surrender is a **PUBLIC DOCUMENT** and on the acceptance of the Board, becomes a **FINAL ORDER** of the Board.

I have decided to surrender my certificate to practice dental radiation technology in the State of Maryland in lieu of disciplinary action on the Charges issued in this case (attached and incorporated herein as Exhibit 1). I acknowledge that if the case were to proceed to an evidentiary hearing, the Board would submit evidence to support the allegations made in this case. I acknowledge that for all purposes relevant to certification, those allegations will be treated as if proven.

I understand that the Board may advise appropriate entities I have surrendered my certificate in lieu of further disciplinary action. I also understand that in the event I would apply for licensure in any form in any other state or jurisdiction, that this Letter of Surrender and the underlying investigative documents may be released or published by the Board to the same extent as a final order that would result from disciplinary action, pursuant to Md. Code Ann., Gen Prov., § 4-101 *et seq.*, (2014), and that this Letter of Surrender is considered a disciplinary action by the Board.

Upon the Board's acceptance of this Letter of Surrender, if I have not already done so, I shall present to the Board my original Maryland dental certificate number 10644, my most recent renewal card, and any other official indicia of licensure.

I acknowledge that I may not rescind this Letter of Surrender in part or in its entirety for any reason whatsoever. I recognize that by submitting this Letter of Surrender, my certificate in Maryland will remain surrendered, and the Board will not entertain any petition or application to reinstate my certificate for at least one (1) year from the effective date of this letter.

Finally, I wish to make clear that I have been advised of my right to consult with counsel before signing this Letter of Surrender. I fully understand both the nature of the Board's actions and this Letter of Surrender. I acknowledge that I understand and comprehend the language, meaning and terms and effect of this Letter of Surrender. I make this decision knowingly and voluntarily.

Very truly yours,

Kim Vanoo, D.R.T.
Kim Vanoo, D.R.T.

NOTARY

STATE OF MARYLAND
CITY/COUNTY OF Baltimore

I HEREBY CERTIFY that on this 13th day of November 2017, before me, a Notary Public of the State and City/County aforesaid, personally appear Kim Vanoo, D.R.T., and declared and affirmed under the penalties of perjury that signing the foregoing Permanent Letter of Surrender was her voluntary act and deed.

AS WITNESS my hand and Notarial seal.

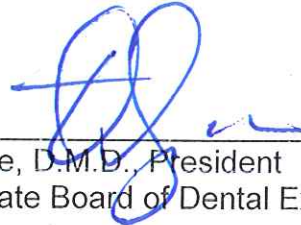
Kenneth Buckner
Notary Public

My Commission expires: MAY 1ST 2021



BOARD ACCEPTANCE

On behalf of the Maryland State Board of Dental Examiners, on this 6TH
day of DECEMBER, I, Arthur C. Jee, D.M.D., accept Kim
Vanoo, D.R.T.'s **SURRENDER** of her certificate to practice dentistry in the State of
Maryland.



Arthur C. Jee, D.M.D., President
Maryland State Board of Dental Examiners

RECEIVED
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STATE OF MARYLAND BOARD OF DENTAL EXAMINERS

IN THE MATTER OF * BEFORE THE MARYLAND
KIM VANOO, D.R.T. * STATE BOARD OF
RESPONDENT * DENTAL EXAMINERS
Certificate Number: 10644 * Case Number: 2016-112

* * * * *

**NOTICE OF VIOLATION OF CONSENT AGREEMENT AND
CHARGES UNDER THE MARYLAND DENTISTRY ACT**

The Maryland State Board of Dental Examiners (the "Board") hereby charges **KIM VANOO, D.R.T.** (the "Respondent"), Certificate Number 10644, under: the Maryland Dentistry Act (the "Act"), codified at Md. Code Ann., Health Occ. I. ("Health Occ.") §§ 4-101 *et seq.* (2014 Repl. Vol.); the regulations adopted by the Board, found at Md. Code Regs. ("COMAR") 10.44.01 *et seq.*; and the terms of her Consent Agreement, dated November 18, 2015 (the "Agreement"), specifically the compliance provision of the Agreement, which provides in relevant part:

I understand that if I fail to comply with these conditions, the Board may charge me with violating this Consent Agreement and, after notice and an opportunity for a hearing, may impose any sanction it deems appropriate, including suspension or revocation of my Maryland dental radiation technologist certification.

Specifically, the Board charges that the Respondent has violated the following conditions of the Agreement:

- 1) By August 8, 2016, I will submit an anonymous certified, cashier's check or money order in the amount of one hundred dollars (\$100.00) to [one of two dentistry-related charities].
- 2) By August 18, 2016, I will submit proof that my \$100.00 anonymous donation has been made. The contribution must be by certified, cashier's check or money order with no identification of me as the donor.

- 3) By August 08, 2016, I will have completed 10 hours of Board approved pro bono community service or 10 hours of Board approved pro bono dental services, which I may lawfully perform.
- 4) By August 18, 2016, I will submit proof to the Board that I have completed 10 hours of Board approved pro bono community service or 10 hours of Board approved pro bono dental services, which I may lawfully perform.

The pertinent provisions of law are as follows:

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 [.]

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.

COMAR § 10.44.19.12 Penalties for Violations of These Regulations.

- A. Subject to the hearing provisions of this chapter, the Board may deny a certificate to practice dental radiation technology, 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;
 - (12) Fails to comply with a Board order;
 - (15) Behaves dishonorably or unprofessionally.

COMAR § 10.44.23.01 Unprofessional or Dishonorable Conduct.

- C. The following shall constitute unprofessional or dishonorable conduct in the practice of dentistry, dental hygiene, or dental radiation technology:
 - (2) Engaging in conduct which is unbecoming a member of the dental profession;
 - (8) Committing any other unprofessional or dishonorable act or omission in the practice of dentistry, dental hygiene, or dental radiation technology.

COMAR § 10.44.23.04 Penalties.

- C. A dental radiation technologist who violates this chapter is subject to the sanctions enumerated in COMAR 10.44.19.11A.¹

ALLEGATIONS OF FACT²

The Board bases its charges on the following facts that the Board has reason to believe are true:

Background

1. The Respondent was initially certified to practice dental radiation technology in Maryland on or about April 30, 1998, under certificate number 10644. On or about March 1, 2001, the Respondent allowed her certificate to expire.

2. On or about November 30, 2015, the Respondent submitted to the Board an Application for Reinstatement. Along with the Application for Reinstatement, the Respondent attached a notarized signed statement admitting that she took an x-ray in November of 2001, after the first expiration of her certificate when she was not authorized by the Board to practice radiation technology.

¹ COMAR 10.44.19.11A has been recodified as COMAR 10.44.19.12.

² The allegations set forth in this document are intended to provide the Respondent with notice of the Board's charges. They are not intended as, and do not necessarily represent, a complete description of the evidence, either documentary or testimonial, to be offered against the Respondent in connection with these charges.

3. On or about December 28, 2015, the Board granted the Respondent's Application for Reinstatement.

4. Based on the Respondent's admission of unauthorized practice of radiation technology, the Board offered the Respondent the opportunity to sign a Consent Agreement in lieu of formal discipline.

5. On or about April 6, 2016, the Board executed the signed Consent Agreement, which required the Respondent to perform ten (10) hours of *pro bono* service, make an anonymous \$100 (one hundred dollar) donation to a dentistry-related charity, and submit to the Board proof that she had fulfilled these obligations. The Consent Agreement stated that if the Respondent failed to fulfill its obligations, the Board may impose formal discipline on her.

6. The Respondent subsequently submitted proof of the \$100 donation. However, the Respondent failed to submit proof of having completed the *pro bono* service hours, even after having the deadline extended.

7. On or about March 1, 2017, the Respondent again allowed her certificate to expire.

GROUND FOR DISCIPLINE

The Respondent's unauthorized practice of dental radiation technology and her failure to comply with the Consent Agreement, as described above, constitute violations of the regulations adopted by the Board and the Agreement as cited above.

NOTICE OF POSSIBLE SANCTIONS

If, after a hearing, the Board finds that there are grounds for action under the regulations adopted by the Board, the Board may impose disciplinary sanctions against

the Respondent's certificate, including revocation, suspension, probation, reprimand, and/or impose a monetary fine.

NOTICE OF OPPORTUNITY FOR A HEARING

In accordance with the Administrative Procedure Act, Md. Code Ann., State Gov't. II §§ 10-201 *et seq.* (2014 Repl. Vol.), the Board hereby notifies the Respondent of her opportunity for a hearing before the Board makes a final decision in this case. In order to be afforded a hearing, the Respondent must request a hearing **WITHIN THIRTY (30) DAYS** of service of this notice.


The request for a hearing must be made in writing to:

Tony W. Torain, J.D., Executive Director
Maryland State Board of Dental Examiners
Spring Grove Hospital Center
Benjamin Rush Building
55 Wade Avenue/Tulip Drive
Catonsville, Maryland 21228

If a request for a hearing is properly made, the Board will first schedule a Case Resolution Conference, and the Respondent will be provided appropriate instructions and will be notified of the scheduled time and location.

If the Board does not receive a written request for a hearing within **thirty (30) days** of the date of this Notice, the Board may sign the attached blank Final Order.

11/1/17
Date



Arthur C. Jee, D.M.D., President
Maryland State Board of Dental Examiners