

IN THE MATTER OF
SIAR KARMAND, D.D.S.

Respondent

License Number: 13203

* BEFORE THE MARYLAND
* STATE BOARD OF
* DENTAL EXAMINERS
* Case Numbers: 2012-219
2016-185

* * * * *

FINAL ORDER

On the 18th day of April, 2018, the Maryland State Board of Dental Examiners (the "Board") notified **SIAR KARMAND, D.D.S.** (the "Respondent"), License Number 13203, of its intent to revoke his license to practice dentistry in the State of Maryland pursuant to the Maryland Dentistry Act (the "Act"), Md. Code Ann., Health Occ. ("Health Occ.") §§ 4-101 *et seq.* (2014 Repl. Vol.) and COMAR 10.44.23.01C(2).

Specifically, the Board based its action on the Respondent's violation of the following provisions of the Act:

Health Occ. I § 4-315. Denials, reprimands, probations, suspensions, and revocations -- Grounds.

(a) *License to practice dentistry.* -- Subject to the hearing provisions of § 4-318 of this subtitle, the Board may deny a general license to practice dentistry, a limited license to practice dentistry, or a teacher's license to practice dentistry to any applicant, reprimand any licensed dentist, place any licensed dentist on probation, or suspend or revoke the license of any licensed dentist, if the applicant or licensee:

(7) Has had a license to practice dentistry revoked or suspended in any other state;

(16) Behaves dishonorably or unprofessionally, or violates a professional code of ethics pertaining to the dentistry profession;

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

- (21) Is disciplined by a licensing or disciplinary authority of any other state or country or convicted or disciplined by a court of any state or country for an act that would be grounds for disciplinary action under the Board's disciplinary statutes[.]

The underlying grounds for disciplinary action under Health Occ. I § 4-315(a)(21) include § 4-315(a):

- (16) Behaves dishonorably or unprofessionally, or violates a professional code of ethics pertaining to the dentistry profession; [and]
- (20) Violates any rule or regulation adopted by the Board[.]

The Board further alleged that the Respondent violated the following rule or regulation adopted by the Board:

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.

In its Notice, the Board informed the Respondent that he 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:

I. BACKGROUND

1. The Respondent was initially licensed to practice dentistry in the State of Maryland on March 12, 2003, under License Number 13203. The Respondent's Maryland dental license is currently suspended pursuant to a Consent Order, dated January 2, 2013.

2. The Respondent was issued a license to practice dentistry in the District of Columbia ("D.C.") on May 14, 2003 under License Number DEN1000340. The Respondent's D.C. dental license was summarily suspended, effective November 20, 2012.

II. BOARD INVESTIGATION

3. On or about May 4, 2012, the Board received information that the Respondent was arrested in D.C. on charges of unlawful possession with intent to distribute a quantity of amphetamine, a Schedule II controlled dangerous substance ("CDS").

4. Based on the information, the Board initiated an investigation of the Respondent.

A. LICENSE SUSPENSION IN D.C.

5. On or about November 20, 2012, the Government of the District of Columbia, Department of Health (the "D.C. Board") issued a *Notice of Summary Action to Suspend License* (the "D.C. Action") against the Respondent.

6. In the D.C. Action, the D.C. Board alleged that on or about May 2, 2012, members of the Metropolitan Police Department ("MPD") executed a search and seizure warrant at the Respondent's residence in D.C., during which they recovered numerous plastic containers, bags, bottles and vials containing approximately 76.9 grams of

amphetamine, 7 ounces of gama-hydroxybutyric (also known as GHB) and a small sample of tetrahydrocannabinol (also known as THC). The Respondent was arrested and charged with *Unlawful Possession with the Intent to Distribute a Controlled Substance*.

7. On or about November 13, 2012, a federal grand jury in D.C. returned a five-count indictment against the Respondent in the United States District Court for the District of Columbia charging him with 1) Unlawful Possession with Intent to Distribute 50 Grams or More of Methamphetamine in violation of 21 U.S.C. §§ 841(a)(1), 841(b)(1)(A)(viii); 2) Unlawful Possession with Intent to Distribute Gamma Hydroxybutyric Acid in violation of 21 U.S.C. §§ 841(a)(1), 841(b)(1)(C); two counts of Simple Possession of a Controlled Substance in violation of 21 U.S.C. 844(a); and Unlawful Possession of Drug Paraphernalia in violation of 48 U.S.C. § 1103(a).

8. Under the D.C. Action, the Respondent's D.C. dental license was summarily suspended, effective immediately, subject to the Respondent's written request for a hearing within 72 hours of service of the notice. The Respondent did not contest the D.C. Action and his D.C. dental license has remained suspended to the present.

B. LICENSE SUSPENSION IN MARYLAND

9. Based on the Board's investigation and prior to the issuance of disciplinary charges, the Respondent entered into a *Consent Order for Summary Suspension of License to Practice Dentistry* (the "Consent Order") with the Board, dated January 2, 2013.

10. In the Consent Order, the Board found as a matter of fact that on or about May 3, 2012, the Respondent was charged in the United States District Court for the District of Columbia with *Unlawful Possession with the Intent to Distribute a Controlled Substance (Amphetamine)*. The Board concluded as a matter of law that the Respondent constituted a danger to the public and that the public health, safety or welfare required an emergency action by ordering a summary suspension of his license to practice dentistry in Maryland.

CONCLUSIONS OF LAW

Based on the foregoing Findings of Fact, the Board concludes as a matter of law that the D.C. Board's suspension of the Respondent's D.C. dental license on November 20, 2012, for drug-related offenses, which the Respondent did not contest, constitutes the Respondent: having had a license suspended in any other state, in violation of Health Occ. § 4-315(a)(7); behaving dishonorably or unprofessionally, or violating a professional code of ethics pertaining to the dentistry profession, in violation of § 4-315(a)(16); violating any rule or regulation adopted by the Board, *i.e.* COMAR 10.44.23.01C(2), in violation of § 4-315(a)(20); and being disciplined by a licensing or disciplinary authority of any state or country for an act that would be grounds for disciplinary action under the Board's disciplinary statutes, *i.e.* § 4-315(a)(16) and (20), in violation of § 4-315(a)(21).

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 Siar Karmand's license to practice dentistry in the State of Maryland under License Number 13203 be and hereby is **REVOKED**; and it is further

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

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

06/06/2018
Date



Arthur C. Jee, D.M.D.

Board President

Maryland State Board of Dental Examiners

NOTICE OF RIGHT TO APPEAL

Pursuant to Md. Code Ann., Health Occ. I § 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.