

IN THE MATTER OF

VAQAR AHMAD CHOUDRY, D.D.S.

RESPONDENT

License Number: 13215

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BEFORE THE

MARYLAND STATE BOARD

OF DENTAL EXAMINERS

Case Number: 2014-043

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**ORDER FOR SUMMARY SUSPENSION
OF LICENSE TO PRACTICE DENTISTRY**

The Maryland State Board of Dental Examiners (the "Board") hereby **SUMMARILY SUSPENDS** the license of **VAQAR AHMAD CHOUDRY, D.D.S.** (the "Respondent"), License Number 13215, to practice dentistry in the State of Maryland. The Board takes such action pursuant to its authority under Md. St. Gov't Code Ann. § 10-226(c)(2009 Repl. Vol.), concluding that the public health, safety and welfare imperatively require emergency action.

INVESTIGATIVE FINDINGS

Based on information received by, and made known to the Board, and the investigatory information obtained by, received by and made known to and available to the Board, including the instances described below, the Board has reason to believe that the following facts are true:¹

1. At all times relevant to this Order for Summary Suspension (the "Order"), the Respondent was licensed to practice dentistry in the State of Maryland. The Respondent was initially licensed to practice dentistry in Maryland on or about March 27, 2003, under License Number 13215.

¹ The statements respecting the Respondent's conduct are intended to provide the Respondent with notice of the basis of the suspension. 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 this matter.

2. At all times relevant to this Order, the Respondent owned and operated a dental practice named the "Hagerstown Dental Center," located at 301 East Antietam Street, Hagerstown, Maryland 21740.

3. The Board summarily suspends the Respondent's license to practice dentistry in Maryland based on the following information, which federal law enforcement representatives provided to it on or about September 16, 2013.

4. On or about September 13, 2013, a criminal complaint, captioned *United States of America v. Vaqar Ahmad Choudry*, under Case Number 13-2195-SKG, was filed against the Respondent in the United States District Court for the District of Maryland in which it was alleged that:

On or about September 6, 2013, the Respondent knowingly, intentionally and unlawfully distributed a quantity of a mixture or substance containing a detectable amount of oxycodone, in violation of 21 U.S.C. § 841; and

On or about September 9, 2013, using a facility or means of interstate commerce, the Respondent knowingly persuaded, induced, and/or attempted to persuade or induce, an individual who had not attained the age of 18 to engage in sexual activity for which the Respondent could be charged with a criminal offense, in violation of 18 U.S.C. § 2422.

5. The criminal complaint was supported by an affidavit in which the affiant, an officer from the United States Drug Enforcement Administration ("DEA"), stated that the DEA initiated an investigation of the Respondent in May 2013. The investigation focused initially on complaints and allegations that the Respondent was unlawfully distributing pain medication in the absence of any medical purpose. The DEA learned subsequently through a confidential source ("CS-1") that the Respondent was seeking to engage in sexual activity with a minor child. Upon making this discovery, the DEA arranged a meeting between the Respondent, CS-1 and a fictional minor child at a motel in Hagerstown, Maryland. In exchange for CS-1's assistance in arranging the

meeting, the Respondent provided CS-1 with an illicit prescription for oxycodone [a narcotic analgesic and Schedule II controlled dangerous substance].

6. On September 12, 2013, the DEA arrested the Respondent when he arrived at a pre-arranged location (reportedly, a motel) for his meeting with CS-1 and the fictional minor child.

7. The DEA's investigation of the Respondent incorporated various measures, including but not limited to a collection of reports from anonymous sources, pharmacists, and dentists; office visits by undercover officers and confidential sources; and the arrangement of a controlled meeting between CS-1 and the Respondent for the ostensible purpose of providing the Respondent with a minor child to have sex with, in exchange for which the Respondent provided CS-1 with one or more illegal prescriptions for oxycodone.

8. The Respondent is scheduled to have a temporary detention hearing on September 19, 2013.

9. Based on the above investigative facts, the Board has a basis to charge the Respondent with committing prohibited acts as set forth in the Act under H.O. § 4-315. Specifically, the Board finds that the Respondent violated one or more of the following subsections of H.O. § 4-315(a):

- (2) Fraudulently or deceptively uses a license; [and]
- (16) Behaves dishonorably or unprofessionally, or violates a professional code of ethics pertaining to the dentistry profession[.]

10. Based on the above investigative facts, the Board concludes that the Respondent constitutes an imminent threat to the public, which imperatively requires the suspension of his license.

CONCLUSIONS OF LAW

Based on the foregoing investigative findings, the Board concludes that the Respondent constitutes a danger to the public and that the public health, safety or welfare imperatively requires emergency action in this case, pursuant to Md. State Gov't Code Ann. § 10-226(c)(2)(2009 Repl. Vol.).

ORDER

Based on the foregoing findings, it is this 18th day of September, 2013, by a majority of the Board considering this case:

ORDERED that the Respondent's license to practice dentistry in the State of Maryland, under License Number 13215, is hereby **SUMMARILY SUSPENDED**; and it is further

ORDERED that upon the Board's receipt of a written request from the Respondent, a Show Cause Hearing shall be scheduled at the Board's next regularly scheduled meeting, at which the Respondent will be given an opportunity to be heard as to why the Order for Summary Suspension should not continue; and it is further

ORDERED that if the Respondent fails to request a Show Cause Hearing or makes a request for a Show Cause Hearing and fails to appear for it, the Board shall continue the Summary Suspension; and it is further

ORDERED that the Respondent shall immediately turn over to the Board all licenses to practice dentistry issued by the Board that are in his possession; and it is further

ORDERED that this document constitutes an Order of the Board and is therefore a public document for purposes of public disclosure, as required by Md. State Govt. Code Ann. § 10-617(h) (2009 Repl. Vol.).



Ngoc Quang Chu, D.D.S., President
Maryland State Board of Dental Examiners

NOTICE OF HEARING

A Show Cause Hearing to determine why the Order for Summary Suspension should not continue will be held before the Board at Spring Grove Hospital Center, Benjamin Rush Building, 55 Wade Avenue, Baltimore, Maryland 21228, at the Board's next regularly scheduled meeting, following a written request by the Respondent.

At the conclusion of the Show Cause hearing held before the Board, the Respondent, if dissatisfied with the result of the hearing, may, within ten (10) days, request an evidentiary hearing. Unless otherwise agreed by the parties, the Board shall provide a hearing within forty-five (45) days after the Respondent's request. The Board shall conduct an evidentiary hearing under the contested case provisions of Md. State Gov't Code Ann. §§ 10-210 *et seq.*