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8 **BEFORE THE**
9 **DENTAL BOARD OF CALIFORNIA**
10 **DEPARTMENT OF CONSUMER AFFAIRS**
11 **STATE OF CALIFORNIA**

12 In the Matter of the Accusation and Petition to
13 Revoke Probation Against:

14 **RHANDA THALINA GLASGOW**
15 **1016 Bellevue Avenue, #2038**
16 **Santa Rosa, CA 95407**

17 **Registered Dental Assistant License No.**
18 **73645**

19 Respondent.

Case No.

DBC 2010-4

**ACCUSATION AND PETITION TO
REVOKE PROBATION**

20 Complainant alleges:

21 **PARTIES**

22 1. Richard Decuir (Complainant) brings this Petition to Revoke Probation solely in his
23 official capacity as the Executive Officer of the Dental Board of California, Department of
24 Consumer Affairs.

25 2. On or about April 10, 2009, the Dental Board of California issued Registered Dental
26 Assistant License Number 73645 to Rhanda Thalina Glasgow (Respondent). The Registered
27 Dental Assistant License was in full force and effect at all times relevant to the charges brought
28 herein and will expire on August 31, 2010.

3. In a disciplinary action entitled "In the Matter of Statement of Issues against Rhanda

1 Thalina Glasgow,” Case No. DBC 2008-26, the Dental Board of California issued a decision,
2 effective April 10, 2009, in which Respondent' was issued Registered Dental Assistant License
3 Number 73645 on a probationary basis with certain terms and conditions. A copy of that decision
4 is attached as Exhibit A and is incorporated by reference.

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6 **JURISDICTION**

7 4. This Petition to Revoke Probation is brought before the Dental Board of California
8 (Board), Department of Consumer Affairs, under the authority of the following laws. All section
9 references are to the Business and Professions Code unless otherwise indicated.

10 **STATUTORY PROVISIONS**

11 5. Section **118(b)** of the Code provides that the expiration, surrender or cancellation of a
12 license shall not deprive the Board of jurisdiction to proceed with a disciplinary action during the
13 period within which the license may be renewed, restored, reissued or reinstated.

14 6. Section **1670** of the Code states:

15 Any licentiate may have his license revoked or suspended or be reprimanded or be placed
16 on probation by the board for unprofessional conduct, or incompetence, or gross negligence, or
17 repeated acts of negligence in his or her profession, or for the issuance of a license by mistake, or
18 for any other cause applicable to the licentiate provided in this chapter. The proceedings under
19 this article shall be conducted in accordance with Chapter 5 (commencing with Section 11500) of
20 Part 1 of Division 3 of Title 2 of the Government Code, and the board shall have all the powers
21 granted therein.

22 7. Section **1670.1** of the Code states:

23 Any licentiate under this chapter [chapter 4 (commencing with section 1600)] may have his
24 or her license revoked or suspended or be reprimanded or be placed on probation by the board for
25 conviction of a crime substantially related to the qualifications, functions, or duties of a dentist or
26 dental auxiliary, in which case the record of conviction or a certified copy thereof, certified by the
27 clerk of the court or by the judge in whose court the conviction is had, shall be conclusive
28 evidence.

The board shall undertake proceedings under this section upon the receipt of a certified

1 copy of the record of conviction. A plea or verdict of guilty or a conviction following a plea of
2 nolo contendere made to a charge of a felony or of any misdemeanor substantially related to the
3 qualifications, functions, or duties of a dentist or dental auxiliary is deemed to be a conviction
4 within the meaning of this section. The board may order the license suspended or revoked, or
5 may decline to issue a license, when the time for appeal has elapsed, or the judgment of
6 conviction has been affirmed on appeal or when an order granting probation is made suspending
7 the imposition of sentence, irrespective of a subsequent order under any provision of the Penal
8 Code, including, but not limited to, Section 1203.4 of the Penal Code, allowing such person to
9 withdraw his or her plea of guilty and to enter a plea of not guilty, or setting aside the verdict of
10 guilty, or dismissing the accusation, information or indictment.

11 COSTS

12 8. Section **125.3(a)** of the Code states, in pertinent part:

13 Except as otherwise provided by law, in any order issued in resolution of a disciplinary
14 proceeding before any board within the department . . . the board may request the administrative
15 law judge to direct a licentiate found to have committed a violation or violations of the licensing
16 act to pay a sum not to exceed the reasonable costs of the investigation and enforcement of the
17 case.

18 CAUSE FOR DISCIPLINE

19 (Criminal Conviction)

20 9. Respondent is subject to disciplinary action under section 1670.1 of the Code in that
21 she has been convicted of a crime substantially related to the qualifications, functions or duties of
22 a dentist. The circumstances are as follows:

23 10. On or about July 28, 2009, in Sonoma Superior Court Case No. SCR-562146,
24 Respondent was convicted of having violated California Penal Code 23152(b)/23550.5 (driving
25 with excessive blood alcohol level, with prior felony conviction), a felony. Respondent's blood
26 alcohol level at the time of the offense was in excess of .20%. The arrest at issue in this
27 conviction occurred on April 24, 2009. The felony Complaint charging Respondent with this
28 crime was filed on or about May 21, 2009. Respondent was arraigned on this Complaint on May

1 26, 2009.

2 11. On or about October 22, 2009, Respondent was found to be in the probation that had
3 been granted to her in Sonoma Superior Court Case No. SCR-562146.

4 **PETITION TO REVOKE PROBATION**

5 12. The allegations of paragraphs 1 through 11 of the Accusation are incorporated herein
6 by reference and are realleged as if fully set forth.

7 **FIRST CAUSE TO REVOKE PROBATION**

8 (Failure to Obey All Laws and Terms of Probation)

9 13. At all times after the effective date of Respondent's probation, Condition One stated:

10 14. Obey All Laws - Respondent shall comply with all conditions of probation and obey
11 federal, state and local laws and all rules and regulations governing the practice of dentistry in
12 California, and remain in full compliance with any court-ordered criminal probation, payments
13 and other requirements.

14 15. Respondent's probation is subject to revocation because she failed to comply with
15 Probation Condition One, referenced above, as set forth above in paragraphs 10 and 11.

16 **SECOND CAUSE TO REVOKE PROBATION**

17 (False Statement in Quarterly Report)

18 16. At all times after the effective date of Respondent's probation, Condition Two stated:

19 17. Quarterly Declarations - Respondent shall submit quarterly declarations under
20 penalty of perjury on the Board's Quarterly Report of Compliance forms provided by the Board,
21 stating whether there has been compliance with all the conditions of probation.

22 18. Respondent's probation is subject to revocation because she failed to comply with
23 Probation Condition Two, as follows:

24 a) On or about October 3, 2009, Respondent signed and submitted a quarterly report in
25 which she falsely stated that she had not been arrested for or charged with any crime,
26 and in which she falsely stated that she was in compliance with the conditions of her
27 probation.

28 b) On or about December 3, 2009, Respondent signed and submitted a quarterly report in

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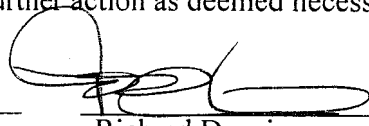
which she falsely stated that she was in compliance with the conditions of her probation.

PRAYER

WHEREFORE, Complainant requests that a hearing be held on the matters herein alleged, and that following the hearing, the Dental Board of California issue a decision:

1. Revoking the probation that was granted by the Dental Board of California in Case No. DBC 2008-26 and revoking or suspending Registered Dental Assistant License No. 73645, issued to Rhanda Thalina Glasgow;
2. Ordering Respondent to pay the Dental Board of California the reasonable costs of the investigation and enforcement of this case, pursuant to Business and Professions Code section 125.3;
3. Taking such other and further action as deemed necessary and proper.

DATED: 2.2.16



Richard Decuir
Executive Officer
Dental Board of California
Department of Consumer Affairs
State of California
Complainant