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**FILED**

**FEB 24 2012**

Office of Administrative Hearings  
By \_\_\_\_\_

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

11  
12 In the Matter of the Interim Suspension  
Order Against:

13 **DAVID MILTON LEWIS, D.M.D.**  
14 **4350 Marconi Ave # 100**  
**Sacramento, CA 95821**

15 **Dental License No. 31489**

16 Respondent.

DBC Case No. 01-2010-1305

OAH Case No. 2012020853

**INTERIM SUSPENSION ORDER-EX PARTE**

(Bus. & Prof. Code § 494)

Date: February 24, 2012

Time: 1:30 p.m.

Location: OAH - Sacramento

17  
18 On February 24, 2012, this matter came before the Office of Administrative Hearings, on  
19 Petitioner's properly noticed Ex Parte Petition for an Interim Suspension Order. Having reviewed  
20 all evidence presented and good cause appearing, <sup>\*) Therefore,</sup> the Order set forth below is hereby issued and  
21 made effective immediately.

22 **IT IS HEREBY ORDERED THAT**

23 1. Dental Certificate No. 31489 issued to David Milton Lewis (Respondent) be  
24 immediately suspended pending further formal disciplinary action by the Dental Board of  
25 California and issuance of a final decision and order in such disciplinary action.

26 \* it is determined that <sup>(1)</sup> respondent has engaged in acts constituting  
27 violation of Business and Professions Code sections 810(a), 1670, 1680(a) and 65C  
28 <sup>(2)</sup> permitting respondent to continue to engage in the practice of  
dentistry will endanger the public health, safety, or welfare; and  
<sup>(3)</sup> it appears from the petition and supporting documents that serious  
injury would result to the public before the matter Interim Suspension Order.  
could be heard on notice

1           2.     During the suspension Respondent shall not practice dentistry directly or indirectly,  
2 including the supervision of dental auxiliaries, nor shall Respondent receive or have set aside for  
3 future receipt, any new monies derived from the practice of dentistry as defined by the provisions  
4 of Business and Professions Code section 1625, which includes managing or conducting as  
5 manager, proprietor, conductor, lessor, or otherwise, a place where dental operations are  
6 performed.

7           3.     If Respondent operates his or her own office as a solo practice or as a one person  
8 professional corporation, said office is to be closed except for administrative purposes (making  
9 future appointments when suspension is over, opening mail, referring patients, accepting  
10 payments on account, and general office administration); and Respondent shall not lease the  
11 dental office nor make any monetary gain from the practice earned during the period of time that  
12 the office is closed.

13           4.     Respondent shall not mislead patients regarding the reasons for suspension from  
14 practicing dentistry.

15           5.     Respondent shall immediately surrender to a designated Board representative all  
16 evidence of licensure, including, but not limited to, any pocket license or wall license and DEA  
17 registration.

18           6.     Respondent shall within five (5) business days submit to a designated Board  
19 representative a plan providing for continuity of patient care and treatment.

20           7.     Respondent shall notify all current and prospective patients of his suspension of  
21 licensure. Respondent shall submit satisfactory evidence of compliance with this notification  
22 requirement to a designated Board representative within five (5) business days.

23 Respondent was served with the Petition and supporting documents on  
24 February 24, 2012

IT IS SO ORDERED.

25 Date: 2/24/12

Catherine B. Frink

Administrative Law Judge

CATHERINE B. FRINK

26  
27  
28 This Order was personally served on respondent on  
February 24, 2012.