

**GOVERNMENT OF THE DISTRICT OF COLUMBIA
DEPARTMENT OF HEALTH
HEALTH REGULATION AND LICENSING ADMINISTRATION
BOARD OF DENTISTRY**

In Re: :
:
Sharon Osbourne, R.DH. :
:
Applicant :

ORDER DENYING LICENSURE

Jurisdiction

This matter comes before the District of Columbia Board of Dentistry (the “Board”) pursuant to D.C. Official Code § 3-1201.01 *ff.* (2016 Repl.), otherwise known as the Health Occupations Revision Act (the “HORA”). The HORA, at D.C. Official Code § 3-1202.01(b) (2016 Repl.), authorizes the Board to regulate the practices of dentistry, dental hygiene, and dental assistants in the District of Columbia.

Background

On or about June 18, 2024, the Board issued a Notice of Intent to Deny Applicant’s application for a dental hygiene license (the “Notice”). The Notice charged Applicant with the following basis for the proposed denial:

- **You fraudulently or deceptively attempted to obtain a license, registration, or certification for yourself, for which the Board may act under D.C. Code § 3-1205.14(a)(1); and**
- **You filed a statement or other evidence with the Board that you knew or should have known to be false or misleading, in violation of D.C. Code § 3-1205.14(a)(24).**

Pursuant to Title 17 DCMR § 4105.2(a), the Notice was hand-delivered to the Respondent at the Board’s offices on June 18, 2024. Pursuant to Title 17 DCMR § 4105.5, service was deemed to have been made on June 18, 2024. The Notice advised Applicant that she had twenty (20) days

following receipt of the Notice in which to request a hearing. Applicant submitted a timely request for a hearing in this matter. On July 19, 2024, Applicant subsequently withdrew her request for a hearing on the Notice.

Findings of Fact

Based upon the content of the Board's file in this matter, the Board hereby makes the following findings of fact:

1. On or about October 19, 2023, Applicant applied for a dental hygienist license in the District of Columbia.
2. In the application, Applicant answered "no" to Question 1 of the Screening Questions, which asks, "Have you ever been arrested, charged, convicted, pled guilty to, or pled no contest to the violation of any criminal law of any jurisdiction whether misdemeanor or felony, including driving under the influence or while impaired, but excluding minor traffic violations)? Please note that a charge or conviction does not necessarily mean a barrier to licensure."
3. As part of the application process, Applicant was required to undergo a criminal background check.
4. The background check results revealed that Applicant had three (3) arrests between 1998 and 2023, and that the 2023 case was still pending in Georgia.
5. On or about November 30, 2023, Applicant was notified of the discrepancy between her answer of "no" on the application to the criminal history question and the results of her criminal background check report. She was instructed to provide the court documents and given an opportunity to explain the discrepancy.
6. Applicant responded by email on December 1, 2023. In the email she wrote, "THIS IS NOT your issue, however, I have a clean record and just for the record...and the Englewood NJ that simple assault was thrown out of court, I was the one assaulted. That DC case false arrest that will be thrown out as well. IMHAVENO CRIMINAL RECORDS AND THE PERSON WHO FALSELY PLACED THIS ON THIS REPORT IS A JACKASS...I WILL FORWARD A LETTER FROM MY ATTORNEY FOR THAT GEORGIA FALSE/ARREST/FORGERY/OTHER BULLSHIT THE CORRUPT GOV REPORTED...NOW YOU SEE WHY MANY HATE US GOVERNMENT DUMB JACKASS THEY HIRE TO RUIN PEOPLES LIVES. THIS ANOTHER UNFORTUNATE SET BACK FROM THAT HATING ASS GOVERNMENT IN THE STATES I DON'T LIKE ANYMORE. DIRTY CORRUPT NEW JERSEY AND GEORGIA." [sic].
7. Applicant send another email to the Board on December 4, 2023. In the email she wrote, "ONE [sic] A CASE IS DISMISSED OR THROWN OUT OF COURT IT

SHOULD NOT APPEAR ON MY RECORD..I WILL REITERATE I WAS NEVER IN WV EITHER WAY THEREFORE THE FBI IS A ASSHOLE PUTTING INFORMATION ON MY RECORD THAT DOESN'T BELONG THERE TO MAKE ME LOOK LIKE I AM THE AGGRESSOR...SAME FOR ALL 3 FALSELY REPORTED INFORMATION ABOUT ME.”

8. The November 30, 2023, letter from the Board to Applicant inadvertently stated that the 1998 case on her criminal background report occurred in Clarksburg, West Virginia instead of Washington, DC.
9. On or about December 29, 2023, Applicant submitted to the Board court documents and/or police records, which confirmed the New Jersey and Georgia arrests.
10. Applicant did not provide court documents from Washington, DC.
11. Applicant provided a document from the West Virginia State Police which stated that there was no record of a Criminal Investigation Report on file for her with that agency.
12. Applicant submitted court documents from New Jersey and Georgia which confirmed that she had been arrested or charged as indicated on and consistent with her criminal background check report.
13. The court documents submitted by Applicant further confirmed that her criminal case in Georgia was pending at the time that she falsely answered “no” and that she had been charged with possession eight (8) counterfeit twenty dollar bills and berating a police officer with insults and curse words, including stating, “This is why people hate cops. This is why people fucking shoot you in the face and kill you.”
14. As part of the application, by selecting “Agree,” Applicant agreed to the Applicant Affidavit which states, “I hereby attest that the information given in this application, including all writings and exhibits attached hereto, is true and complete to the best of my knowledge. I understand that the making of a false statement on this application, including all writings and exhibits attached hereto, is punishable by criminal penalties.”
15. The answer provided by an Applicant in response to Question 1 of the Screening Questions, which pertains to criminal history, and the subsequent written statements and documentation she provided are material.

Conclusions of Law

D.C. Official Code § 3-1205.14 provides, in pertinent part:

(a) Each board, subject to the right of a hearing as provided by this subchapter, on an affirmative vote of a majority of its members then serving, may take one or more of the disciplinary actions provided in subsection (c) of this section against any Applicant, Applicant, or person permitted by this subchapter to practice the health occupation regulated by the board in the District who: who submits a false or misleading statement to the Board in violation of D.C. Official Code § 3-1210.04(a).

(c) Upon determination by the board that an Applicant, Applicant, or person permitted by this subchapter to practice in the District has committed any of the acts described in subsection (a) of this section, the board may:

- (1) **Deny a license to any applicant, Applicant, or person permitted by this subchapter to practice;**
- (2) Revoke or suspend the license, registration or certification of any Applicant, or person permitted by this subchapter to practice in the District;
- (3) Revoke or suspend the privilege to practice in the District of any person permitted by this subchapter to practice in the District;
- (4) Reprimand any Applicant or person permitted by this subchapter to practice in the District;
- (5) Impose a civil fine not to exceed \$5,000 for each violation by any applicant, Applicant, or person permitted by this subchapter to practice in the District;
- (6) Require a course of remediation, approved by the board, which may include:
 - (A) Therapy or treatment;
 - (B) Retraining; and
 - (C) Reexamination, in the discretion of and in the manner prescribed by the board, after the completion of the course of remediation;
- (7) Require a period of probation; or
- (8) Issue a cease and desist order pursuant to § 3-1205.16.

I. Fraudulently or deceptively attempted to obtain a license, registration, or certification for yourself.

II. Filed a statement or other evidence with the Board that you knew of should have known to be false or misleading.

The Board finds that Findings of Fact #1-15 are sufficient to prove as a matter of law that Applicant committed the violations as set forth in charges I and II of the Notice.

The facts are clear that on or about October 19, 2023, Applicant submitted an application to the Board for a District of Columbia dental hygiene license. The facts are clear that Applicant did not disclose her criminal history and in fact answered “no” to Question 1 of the Screening Questions which

asked, “Have you ever been arrested, charged, convicted, pled guilty to, or pled no contest to the violation of any criminal law of any jurisdiction whether misdemeanor or felony, including driving under the influence or while impaired, but excluding minor traffic violations)? Please note that a charge or conviction does not necessarily mean a barrier to licensure.” Further, Applicant attested that “the information given in this application, including all writings and exhibits attached hereto, is true and complete to the best of my knowledge.”

The facts are clear that Applicant was arrested and/or charged in three (3) separate criminal matters prior to the date that she submitted her application for licensure. Moreover, Applicant had an active criminal case pending against her in the state of Georgia at the time that she applied for licensure in the District of Columbia. Yet she falsely answered “no” to the criminal history question on the licensure application.

When applicant was contacted regarding the discrepancy between her answer of “no” and the results of her criminal background check Applicant admitted to the existence of the New Jersey case by writing, “and Englewood NJ that simple assault was thrown out of court, I was he one assaulted.” Likewise, Applicant admitted to the existence of the DC case by writing, “that DC case false arrest that will be thrown out as well.” However, she then further wrote, “IMHAVENO CRIMINAL RECORDS AND THE PERSON WHO FALSELY PLACED THIS ON THIS REPORT IS A JACKASS”. Regarding the actively pending criminal case in Georgia, Applicant admitted to the existence of the case by writing, “I WILL FORWARD A LETTER FROM MY ATTORNEY FOR THAT GEORGIA FALSE ARREST/FORGERY/OTHER BULLSHIT THE CORRUPT GOV REPORTED.” Applicant subsequently submitted court documents and/or police records for the three (3) cases, which confirmed the New Jersey and Georgia arrests.

On December 4, 2023, Applicant continued the false statements. While Applicant was correct that the letter she received mistakenly stated that he arrest occurred in West Virginia instead of the correct jurisdiction of the District of Columbia. Applicant falsely contended that all of the information

on her criminal background check report was false. She wrote, "ONCE A CASE IS DISMISSED OR THROWN OUT OF COURT IT SHOULD NOT APPEAR ON MY RECORD..I WILL REITERATE I WAS NEVER IN WV EITHER WAY THEREFORE THE FBI IS A ASSHOLE PUTTING INFORMATION ON MY RECORD THAT DOESN'T BELONG THERE TO MAKE ME LOOK LIKE I AM THE AGGRESSOR...SAME FOR ALL 3 FALSELY REPORTED INFORMATION ABOUT ME." When Applicant submitted this statement, Applicant knew or should have known that while she had not been arrested in West Virginia, she had in fact been arrested in the New Jersey, Georgia, and the District of Columbia. As such, in writing this statement, Applicant continued to submit false and misleading statements as part of her application.

Whether or not Applicant believed that the arrests and/or charges had merit or were falsely made, the Board finds that Applicant was fully aware of all three (3) criminal cases, and the charges and/or arrests that had occurred in each case. The Board finds therefore that Applicant was required to disclose the matters in response to the applicable question of the application. As stated in the application, she would then have had the opportunity to provide a written explanation with full information and details and to attach any relevant documents or court records, in which she would have been able to assert her position regarding the validity or falsity of the charges. Instead, Applicant chose to falsely answer "no" and conceal the existence of the three (3) criminal cases. The Board further finds that Applicant's statement that she has a clean record, was false and that Applicant knew or should have known it was false when she made it. In fact, Applicant was well aware that she currently had a criminal case pending against her in the State of Georgia in which she was charged with possessing eight (8) counterfeit twenty dollar bills and berating a police officer with insults and curse words, including stating, "This is why people hate cops. This is why people fucking shoot you in the face and kill you."

The Board finds that Applicant's answer of "no" to Question 1 of the Screening Questions on the licensure application was false or misleading and pertained to a material matter. The Board further

finds that Applicant made the false or misleading statement to increase the likelihood that her application would be approved. The Board finds that Applicant did not disclose her criminal history, and most notably the fact that she currently had a criminal case pending against her in the state of Georgia in which the charges included an allegation that she possessed eight (8) counterfeit twenty dollar bills and berating a police officer with insults and curse words, to increase the likelihood that her application would be approved.

Based upon the aforementioned, the Board hereby finds by a preponderance of the evidence and concludes as a matter of law that Applicant fraudulently or deceptively attempted to obtain a license, registration, or certification for herself, for which the Board may act under D.C. Official Code § 3-1205.14(a)(1); and that the Applicant filed a statement or other evidence with the Board that she knew or should have known to be false or misleading, in violation of D.C. Official Code § 3-1210.04(a), for which the Board may act under D.C. Official Code § 3-1205.14(a)(24).

Decision

In formulating its decision as to the appropriate sanction to be imposed, the Board took into consideration the nature of the charges, and the Board's paramount duty to protect the public.

The Board views the submission of false and/or misleading statements to a professional licensing board to obtain or attempt to obtain a license as a serious matter. The Board relies upon the information presented in the licensure applications to evaluate an applicant's fitness to be licensed.

Whether or not an applicant has been convicted of a crime or has charges currently pending against her is a material question that bears upon the fitness of the Applicant to be licensed. The Board has a statutory duty to ensure that the health professionals it licenses have the required competency, and professional and ethical judgment to safely practice the profession. As such, the answers provided by an Applicant in response to the application questions are material and germane to the Board's evaluation of his or her fitness for licensure.

In this case at bar, not only did Applicant falsely answer the application question in an attempt to fraudulently and deceptively obtain a dental hygiene license, but Applicant never accepted responsibility for her actions. Applicant attacked the judicial systems and the law enforcement agencies for maintaining records or her criminal history. Applicant told the Board that it was none of its concern, "THIS IS NOT your issue..." Applicant falsely stated she had clean record and continued to perpetuate the false statements to the Board. Applicant made the issue about whether or not she was unjustly wronged that the information appeared on her record after the previous two case had since been dismissed, despite the fact that a third case was actively still pending against her. In profanity laced tirades Applicant blamed "THE PERSON WHO FALSELY PLACED THIS ON THE REPORT" stated that this is why "MANY HATE US GOVERNMENT DUMB JACKASS THEY HIRE TO RUING PEOPLES LIVES...THIS ANOTHER UNFORTUNATE SET BACK FROM THAT HATING ASS GOVERNMENT IN THE STATES." And referred to New Jersey and Georgia as, "DIRTY CORRUPT NEW JERSEY AND GEORGIA."

Not once during the entire application process did Applicant ever acknowledge her own culpability and responsibility for having submitted patently a false statement on her application for licensure pertaining to a material matter or for continuing to submit false and misleading statements in her subsequent emails to the Board.

The Board finds that Applicant has not accepted responsibility for her actions, has not shown any remorse, and has not shown that she understands that she in fact did anything wrong. Applicant has instead viewed herself as the victim. The Board finds that Applicant has failed to demonstrate any understanding of professional ethics required and expected of health professionals practicing dental hygiene in the District of Columbia, which bears directly upon the applicant's fitness for licensure.

ORDER

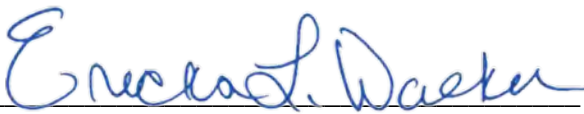
Based upon the aforementioned it is hereby **ORDERED** that the application of Sharon Osbourne is hereby- **DENIED**, effective as of the date of service of this Order; and it is further

ORDERED that if Applicant submits a new application for licensure, in addition to meeting the requirements then in existence for a new licensure including payment of the application and license fee as set forth on the application, she must also submit as part of the application:

- Payment of a Fine in the amount of Three Hundred and Fifty Dollars (\$350.00), made payable to “DC Treasurer” and
- Proof of completing two (2) continuing credits hours in Ethics in a Board-approved course; and it is further

ORDERED that as part of any new application for licensure, Applicant shall be required to meet with the Board.

10/25/2024
Date


Ericka Walker
Executive Director
District of Columbia Board of Dentistry

**Judicial and Administrative Review
of Actions of Board**

Pursuant to D.C. Official Code § 3-1205.20 (2001):

Any person aggrieved by a final decision of a board or the Mayor may appeal the decision to the **District of Columbia Court of Appeals** pursuant to D.C. Official Code § 2-510 (2001).

Pursuant to D.C. Court of Appeals Rule 15(a):

Review of orders and decision of an agency shall be obtained by filing with the clerk of this court a petition for review within thirty (30) days after the notice is given.

This is the Final Order of the Board in this disciplinary matter and a public record and shall be posted on the Department of Health’s website and Board newsletter, and reported to the National Practitioner Data Bank and the Healthcare Integrity Protection Data bank.

Copies to:

Sharon Osbourne, DDS
Applicant

Anthony Celso
Assistant Attorney General
Civil Enforcement Division
Counsel for the Government