January 23, 2017

RETURN RECEIPT REQUESTED
CERTIFIED MAIL
7014 0150 0000 0832 2032

FEDERAL EXPRESS

Electronic Mail to: davesteuer@gmail.com

David R. Steuer, D.M.D.
Dental Specialists of Maine
1330 Congress Street, Suite 1
Portland, ME 04102

ORDER OF IMMEDIATE SUSPENSION
OF LICENSE TO PRACTICE DENTISTRY

RE: Complaint Nos. 15-37 and 16-46; License
Renewal Application No. 16-70; Consent
Agreement (Nov. 18 and Dec. 21 2016)

Dear Dr. Steuer:

On January 20, 2017, the Complaint Committee of the Maine Board of Dental Practice made initial presentation of the results of an investigation of your compliance with your November 18, 2016 Consent Agreement, a copy of which (with its December 9, 2016 Amendment) is attached hereto as Exhibit A ("the Consent Agreement"). Reviewing the evidence gathered thus far, the Board has concluded that at this time your continued practice as a dentist creates immediate jeopardy to the health and safety of yourself and to the health and safety of members of the public who receive dental services from you. Therefore, the Board finds that it is necessary to suspend your dental license immediately.
The Board finds, for purposes of this Order, that you failed to comply with provisions of the Consent Agreement necessitated by facts which you admitted in Paragraphs 22 and 26 of the Consent Agreement. Specifically, the Board finds that you failed to comply with provisions of the Consent Agreement and provisions of agreements with the Maine Medical Professionals Health Program ("the MPHP") designed, in light of your personal circumstances, to ensure your safety and the safety of your patients. Relevant provisions of the Consent Agreement and other documents are discussed below.

Paragraph 28 of the Consent Agreement requires, as a prerequisite to licensure, that you enlist the services of a practice monitor who will: maintain communication with you; review patient records for appropriateness of treatment planning, diagnoses, and prescription writing; and report to the Board any deviation from standards of care, inappropriate decision-making, substance abuse, incompetence, unprofessionalism, or other matter of concern. Notwithstanding your representation to the Board on November 18, 2016 that you had obtained consent from three dentists willing to serve as a practice monitor, to the time of this Order, you have not obtained firm commitments from three individuals willing to serve as a practice monitor and/or have not provided complete information about three candidates for the position of practice monitor. By January 12, 2017 correspondence to you, a copy of which is attached hereto as Exhibit B, the Board reiterated the requirements for approval of a practice monitor.

Paragraph 30(D) of the Consent Agreement requires that you maintain a weekly schedule of sessions with your substance abuse counselor and report any desired change to that schedule to the Board for approval. According to a December 14, 2016 email from you, you did not attend sessions in the weeks of November 21 and November 28, 2016, but you did not notify the Board of this deviation from the requirements of Paragraph 30(D). Your amended MPHP Monitoring Agreement also requires that you attend weekly meetings of structured therapeutic activities. Pursuant to Paragraph 30(B)(i) of the Consent Agreement, failure to comply with the MPHP is grounds for immediate suspension of licensure.

Paragraph 30(D) of the Consent Agreement also requires that no less frequently than once per week you attend meetings of Caduceus or another self-help group approved by the MPHP and report that attendance to the Board for approval. Paragraph 30(G) of the Consent Agreement requires that you provide dates of attendance. According to your December 14, 2016 email, you attended meetings on "every Wednesday or Thursday," without specification of dates as required by Paragraph 30(G).
Therefore:

Effective January 20, 2017 and pursuant to 5 M.R.S. § 10004(3), your license to practice dentistry in Maine was suspended immediately for the 30-day period ending on February 19, 2017 at 12:00 a.m. You may not practice any aspect of dentistry, including without limitation the writing of prescriptions or the directing or supervising of any dentist’s or dental auxiliary’s performance of dental services.

The Board provided you initial notice of this suspension, on January 20, 2017.

During the period of your license suspension, when necessary, you should make suitable arrangements to ensure that patients receive appropriate care.

The Board will hold an adjudicatory hearing to consider what discipline, if any, it will impose for any proven violation of the Consent Agreement, any proven violation of agreements with the MPHP, or any proven misconduct related to your obligations under the Consent Agreement and your agreements with the MPHP. See Paragraph 31 of the Consent Agreement. Hearing will occur at the Board office, 161 Capitol Street, Augusta, Maine.

You will receive a formal notice of the Board’s adjudicatory hearing, and it will designate the date and time of hearing, outline issues to be considered at hearing, outline procedures to be followed at hearing, and set forth a summary of your rights and duties with respect to the hearing.

Dated: January 23, 2017

Geraldine A. Schneider, D.M.D.
Board Chairperson

cc: James M. Bowie, Assistant Attorney General
Lauren F. LaRochelle, Assistant Attorney General
Penny Vaillancourt, Board Executive Director