

BEFORE THE WEST VIRGINIA BOARD OF DENTAL EXAMINERS

WEST VIRGINIA BOARD
OF DENTAL EXAMINERS,

Complainant,

v.

CASE No.: 2006-DB-0040D

DR. MATTHEW M. RIFFEE,

Respondent.

CONSENT DECREE AND ORDER

This matter was scheduled for hearing on the 5th day of January 2007, based upon the charges contained in the Complaint and Notice of Hearing in the above-styled action. On or about January 3, 2007, Counsel for the West Virginia Board of Dental Examiners (hereinafter "Board") received a copy of correspondence from the Respondent, Matthew M. Riffiee, (hereinafter "Respondent") requesting a continuance and stating his desire to surrender his license in response to the complaint against him.

FINDINGS OF FACT

1. That the Board is the State entity created by W. Va. Code §30-4-1 *et seq.* and is empowered to regulate the practice of dentistry.
2. That the Respondent is a licensee of the Board, possessing License No. 2758 , and is subject to the license requirement of the Board.

3. That on or about September 5, 2006, the Board discovered that the Maryland State Board of Dental Examiners had suspended the license of the Respondent for one year, all but forty-five days were stayed. He was further placed on three years probation.

4. On November 29, 2006, the Board filed a complaint against the Respondent alleging that he was in violation of W. Va. Code §30-4-20(a)(2), which states "[t]he board may refuse to issue, refuse to renew, suspend, revoke or limit any license of practice privilege of a licensee . . . for any of the following reasons . . . suspension or revocation of a license issued by another state or territory on grounds which would be the basis of discipline in this state."

5. This matter was scheduled for a formal hearing before the Board on January 5, 2007.

6. On January 3, 2007, the Respondent sent written correspondence to the Board, advising that he desired to "surrender" his license to practice dentistry in the State of West Virginia. He further requested a continuance and that no further actions be taken against him.

CONCLUSION OF LAW

1. That the Board has jurisdiction to take disciplinary action against the Respondent.

2. That pursuant to W. Va. Code § 30-4-1 *et seq.*, the Board may revoke a license, suspend a license, reprimand a licensee or take other disciplinary action for violation of the rules and regulations of the Board.

3. After receiving records from the licensing authority in the State Maryland indicating that it had taken disciplinary action against the license of the Respondent, the Board had probable cause to institute reciprocal disciplinary action against the license of the Respondent in this State.

4. Based on correspondence from the Respondent indicating that he wishes to surrender his license to the Board, the Board should accept the surrender of the license and the Respondent will no longer be permitted to practice or engaged in the profession of dentistry in the State of West Virginia.

5. That effective immediately upon entry of this Consent Decree and Order, the Respondent's license and all his privileges to practice or engage in the profession of dentistry the State of West Virginia are hereby NULL and VOID.

CONSENT OF LICENSEE

The Respondent, Matthew M. Riffie, by affixing his signature hereto, acknowledges the following:

1. Respondent has been given the opportunity to consult with counsel and executes this Consent Decree voluntarily, freely, without compulsion or duress and mindful that it has legal consequences.

2. No person or entity has made any promise or given any inducement whatsoever to encourage Respondent to make this settlement other than as set forth herein.

3. Respondent acknowledges that he is aware that he may pursue this matter through appropriate administrative and/or court proceedings, and is aware of his legal rights regarding this matter, but intelligently, knowingly and voluntarily waives such rights.

4. Respondent acknowledges that he is aware that this Consent Decree is a public document, available for inspection at any time by any member of the public under Chapter 29B et. seq., of the West Virginia Code, Freedom of Information Act and may be reported to other governmental or professional Boards or organizations.

4. Respondent waives any defense of laches, statute of limitations, estoppel and waiver that he may have otherwise claimed as a condition of this agreement.

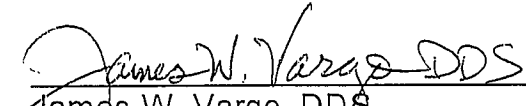
5. The Respondent, by affixing his signature hereon, consents and agrees to the following terms and conditions.

ORDER

Accordingly, the West Virginia Board of Dental Examiners does hereby ACCEPT the surrender of the license of **Matthew M. Riffie, D.D.S.**, to practice or engage in the profession of dentistry in the State of West Virginia. Therefore,

1. The Board holds said license to be NULL and VOID.
2. This document is a public record as defined in W. Va. Code §29B-1-2(4).

Entered this 13th day of July 2007.


James W. Vargo, DDS
President
West Virginia Board of Dental Examiners

Reviewed and Agreed to by:

Matthew M. Riffes 5/22/07
Matthew M. Riffes, D.D.S. (Date)
License No.: 2758
Respondent