

2-9-01

AT

Final Order No. DOH-01-0765- For-MOA
FILED DATE - 6/5/01
Department of Health

**STATE OF FLORIDA
BOARD OF DENTISTRY**

JUN - 7 By: Wicki R. Keron
Deputy Agency Clerk

DEPARTMENT OF HEALTH,
Petitioner,
vs.

HOUSHANG J. DAYAN, D.D.S.,
Respondent.

DOH CASE NO.: 1996-12298
DOAH CASE NO.: 00-1921
LICENSE NO.: DN 0006759

BJS

FINAL ORDER

THIS MATTER was heard by the Board of Dentistry pursuant to Sections 120.569 and 120.57(1), Florida Statutes, on April 27, 2001, in Miami, Florida, for consideration of the Recommended Order (a copy of which is attached as Exhibit A) entered by Barbara J. Staros, Administrative Law Judge, dated February 9, 2001 in the above captioned case. At the hearing, Petitioner was represented by Rosanna Catalano, Senior Attorney. Respondent was not present. Upon consideration of the Administrative Law Judge's Recommended Order, after review of the entire record and having been otherwise fully advised in its premises, the Board makes the following findings and conclusions.

FINDINGS OF FACT

1. The Administrative Law Judge's Findings of Fact are approved and adopted and are incorporated herein by reference.
2. There is competent, substantial evidence to support the Board's findings.

CONCLUSIONS OF LAW

1. The Board has jurisdiction of the parties and subject matter of this case pursuant to Sections 120.569 and 120.57(1), Florida Statutes, and Chapter 466, Florida Statutes.
2. The Administrative Law Judge's Conclusions of Law are approved and adopted and are incorporated herein by reference.
3. There is competent, substantial evidence to support the Board's conclusions.
4. The Board agrees with the penalty recommended by the Administrative Law Judge.

WHEREFORE, it is ORDERED AND ADJUDGED that Respondent's license be and the same is hereby REVOKED.

This Final Order becomes effective upon its filing with the Clerk for the Department of Health. The parties are hereby notified that they may appeal this Final Order by filing one copy of a Notice of Appeal with the Clerk of the Department of Health and by filing a filing fee and one copy of a Notice of Appeal with the District Court of Appeal within thirty (30) days of the date this Final Order is filed.

DONE AND ORDERED this 18 day of May, 2001.

BOARD OF DENTISTRY


CHARLES L. ROSS, D.D.S.
CHAIRMAN

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing has been provided by U.S. Mail to Houshang Dayan, D.D.S., 8081 Park Villa Circle, Cupertino, California 95014; the Honorable Barbara J. Staros, Administrative Law Judge, Division of Administrative Hearings, 1230 Apalachee Parkway, Tallahassee, Florida 32399-3060, and by hand delivery/United States Mail to the Clerk, Department of Health and its Counsel this 5th day of June, 2001.

