

- DECISION -

Claimant: MARY B CROSS	Decision No.: 5978-BR-12
	Date: March 13, 2013
	Appeal No.: 1233727
	S.S. No.:
Employer: DENTAL CARE ALLIANCE LLC	L.O. No.: 63
	Appellant: Employer

Issue: Whether the claimant was discharged for misconduct or gross misconduct connected with the work within the meaning of Maryland Code, Labor and Employment Article, Title 8, Section 8-1002 or 1003.

- NOTICE OF RIGHT OF APPEAL TO COURT -

You may file an appeal from this decision in the Circuit Court for Baltimore City or one of the Circuit Courts in a county in Maryland. The court rules about how to file the appeal can be found in many public libraries, in the *Maryland Rules of Procedure, Title 7, Chapter 200*.

The period for filing an appeal expires: April 12, 2013

REVIEW OF THE RECORD

After a review of the record, the Board adopts the following findings of fact and conclusions of law and reverses the hearing examiner's decision.

The claimant worked as a dental assistant for this employer from January 17, 2011 until August 31, 2012. The claimant was discharged for not having a valid license issued by the State Board of Dental Examiners to work as a dental radiation technologist. The employer's dental assistant employment agreement, which the claimant signed, requires the employee to maintain a current license and certification to be able to perform the duties of the position. In addition, the State of Maryland requires that an individual must be currently licensed by the State Board of Dental Examiners as a dental radiation technologist before the individual may practice dental radiation technology.