BEFORE THE STATE OF NEW MEXICO
BOARD OF DENTAL HEALTH CARE

IN THE MATTER OF:

DANA ASHLEY HERNANDEZ,
LICENSE NO. DA3708

Case No. 14-87-COM

Respondent.

DEFAULT ORDER

THIS MATTER, having come before the Board of Dental Health Care (the "Board") on Friday, January 27, 2017, the Board finds the following:

1. A Notice of Contemplated Action was issued by the Board on November 10, 2016.
1. The Notice of Contemplated Action was sent certified mailed return receipt (No. 9171 9690 0935 0079 1594 15) to the licensee's address listed in the Board's record on November 10, 2016.
2. The envelope containing the Notice of Contemplated Action was returned to the Board unopened on or about December 8, 2016. On the envelope was a USPS label marked "return to sender unclaimed unable to forward".
3. The Notice of Contemplated Action was issued to the Respondent in accordance with the Uniform Licensing Act, NMSA 1978, §§ 61-1-1 *et seq.*
4. The Notice of Contemplated Action informed Respondent of her right to a hearing and that the Respondent must respond to the Board in writing requesting a hearing within twenty (20) days after service of the Notice of Contemplated Action. NMSA 1978, § 61-1-4(D).
5. The Notice of Contemplated Action informed Respondent that failure to respond to the Notice of Contemplated Action may result in the Board taking the action contemplated. NMSA 1978, § 61-1-4(E).

6. The Respondent has not mailed a request for hearing within the time and in the manner required by NMSA 1978, §§ 61-1-4(D)(3) and (E) and is therefore in default.
7. The New Mexico Dental Care Board has authority, pursuant to NMSA 1978, § 61-5A-10(F) to:

> grant, deny, review, suspend and revoke licenses and certificates to practice dentistry, dental assisting and, through the committee, dental hygiene and censure, reprimand, fine and place on probation and stipulation dentists, dental assistants and, through the committee, dental hygienists, in accordance with the Uniform Licensing Act [61-1-1 through 61-1-31 NMSA 1978] for any cause stated in the Dental Health Care Act and the Dental Amalgam Waste Reduction Act.

8. The Board's Decision and Order in this matter is final and not subject to judicial review. NMSA 1978, § 61-1-4 (E).

IT IS THEREFORE ORDERED THAT Respondent's dental assistant license No. DA3708 is hereby **REVOKED BY DEFAULT**.

IT IS FURTHER ORDERED THAT Respondent pay one thousand dollars ($1,000.00).

IT IS FURTHER ORDERED THAT Respondent may not reinstate her dental assistant license until the Notice of Contemplated Action has been answered and resolved. Chairman Dr. Charles Schumacher is designated to sign this Default Order on behalf of the Board of Dental Health Care.

IT IS SO ORDERED.

NEW MEXICO BOARD OF DENTAL HEALTH CARE

Signed this: 2/8/2017

Dr. Charles Schumacher, D.D.S, Chairperson
New Mexico Board of Dental Health Care
2550 Cerrillos Road
Santa Fe, New Mexico 87505