submitted an Application for Registration under the Controlled Substances Act of 1970, as a practitioner for handling controlled substances in Schedules II through V.

On December 2, 1982, the Respondent issued a prescription for Didrex to an undercover police officer (Officer). The parties stipulated that Didrex (benzphetamine) is a Schedule III nonnarcotic stimulant, and has been a Schedule III controlled substance since 1973. The Officer received dental work and then requested the Didrex prescription, purportedly for weight control. The Respondent testified that, although he "didn't know that much about Didrex," he issued the prescriptions based upon the Agent's representation that her doctor had previously prescribed Didrex, and upon a pharmacist's representation that he would fill the prescription. On December 21, 1982, the Respondent authorized a Didrex refill, and on January 4, 1983, he indicated that he would authorize an additional refill. The Respondent was arrested shortly after he prescribed the Didrex, and on June 7, 1983, in a California State court, he pled *nolo contendere* to two counts of violation of California Health and Safety Code Section 11154 by prescribing a controlled substance to a person not under his treatment for a pathology, and a violation of Business and Professions Code Section 2052 for the unauthorized practice of medicine. Based on the facts underlying his nolo contendere plea, the California Board of Dental Examiners suspended the Respondent's dental certificate for one year in January 1985, but the suspension was stayed in favor of a three-year probationary period with various

In April 1986, a DEA Special Agent was introduced to the Respondent's brother as a potential cocaine purchaser. In stipulated testimony, an Agent who had monitored the cocaine transaction noted that after negotiations, the undercover Agent on the scene arranged to buy two kilograms of cocaine from the Respondent's brother. On May 1, 1986, this Agent and the Respondent's brother met at the Respondent's dental clinic, the Respondent showed them into his office, locked the office door, and directed his brother to give the Agent a cardboard box containing two cellophane bags, each filled with a white powdery substance. The Respondent then gave a note to the Agent which represented the contents of the two bags, 1,667 grams of cocaine, and the price for both bags, \$61,679.00. The Agent asked why two kilograms of cocaine were not tendered as originally

agreed, and the Respondent explained and stated that the rest of the cocaine could probably be obtained later that day. The Respondent also indicated that after May 17th, he could obtain up to three kilograms of cocaine from his source if given four days' notice. While still in the Respondent's office, the Respondent explained that he expected \$250 for his part in the cocaine transaction, and when the Agent expressed his opinion that \$250 seemed to be a low payment, the Respondent replied that he was doing "a favor for a favor." Upon leaving the dental clinic, the Agent arrested the Respondent and his brother.

On May 7, 1986, the Respondent was indicted in the United States District Court for the Northern District of California on one count of conspiring to distribute cocaine, a Schedule II controlled substance, in violation of 21 U.S.C. 846. He was also indicted on one count of unlawfully distributing 1,667 grams of cocaine in violation of 21 U.S.C. 841(a)(1). On October 2, 1987, the Respondent pled guilty to both counts. He was sentenced to three years imprisonment on each count, the sentences were ordered to run concurrently, and he was fined \$100.00. The Respondent served approximately 16 to 18 months in prison from late 1987 until March 1989, when he was released to a half-way house. He was discharged from his sentence on August 25, 1989.

Effective August 22, 1988, the California Board of Dental Examiners (Dental Board) revoked the Respondent's dental license based on the cocaine-related convictions. The Dental Board also noted that the Respondent's conduct resulted in a violation of the probationary period that it had imposed after the Didrex incident. On January 10, 1990, the Dental Board reinstated the Respondent's dental license subject to various conditions, and by letter dated February 24, 1993, the Dental Board informed the Respondent as follows: "Our records show that you have fully complied with the terms of your probationary order. Therefore, all the rights and privileges associated with your dental license have been restored." The Respondent testified that since his release from prison in March 1989, he has had no negative encounters with law enforcement agencies.

At the hearing before Judge Tenney, the Respondent testified about the cocaine transaction, indicating that he never had sold drugs with his brother until the May 1, 1986 incident, and that his involvement then was minimal. He stated that his brother sought his help

"to get out of a jam," and that his brother hinted that the transaction would involve cocaine. The Respondent explained that "all I did was read a note, and that's all I had intended to do * * *. I wasn't sure what I was supposed to do." He testified that he never received any money for his part in the cocaine transaction, nor that there were ever any arrangements to pay him. Further, as to answers he gave to agents who had questioned him about his source for the cocaine, the Respondent testified before Judge Tenney that he had "made up" the names of cocaine suppliers and deliverers. The Respondent also testified that he had "made up the story" he gave the agents after his arrest concerning a "plan" to rob the Agent of the cocaine after he had paid for it. Finally, he stated that he 'was involved with something [he] shouldn't have been involved in. Right, wrong [,] or indifferent, didn't matter. I should not have been involved with the selling of drugs, as a dentist or as a person * * *

The Respondent provided extensive information concerning his rehabilitative efforts, including his involvement with Christian workshops, his studies to become a minister during his prison time for the cocaine convictions, his involvement since 1990 with the Morris Cerullo World Evangelists in visiting prisons and evangelizing, his monetary contributions to narcotics programs, his devotion of approximately 12 hours per week working with street gangs and prisoners, his additional ministry work, such as teaching English to Spanish, Vietnamese, and Cambodian people, providing food and clothing to the needy, and his work with the Kenneth Hagen Ministry, the Roberts Ministry, the American Fellowship Church, and various other ministries and religious organizations. The Respondent testified that he had recently visited China, Singapore, Malaysia, and Mexico, to "share[] the gospel," and that while in Malaysia, he had donated his dental services.

While the Respondent was incarcerated, Dr. Lloyd Dickey, and his son, Dr. Leonel Dickey, continued operating the Respondent's practice. After the Respondent's dental license was reinstated in January 1990, the Respondent returned to that practice. Currently Dr. Leonel Dickey continues to assist the Respondent several times per week. The Respondent treats a diverse ethnic population, primarily individuals of Mexican or Vietnamese descent, and currently treats patients who have private insurance, although he devotes about 10 percent of his