

**State of Vermont
Dental Examiners**

In re: David R. Blanck
License Number: 016.0001128
Docket Number: 2023-32

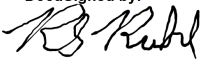
Order to Remove Conditions

On September 13, 2023, the Board of Dental Examiners considered David R. Blanck's request for Removal of Conditions imposed on his license pursuant to a Board Order effective July 12, 2023, under Docket Number 2023-32. The conditions included compliance with taking the course Prescribing Controlled Substances and paying an Administrative Penalty. Mr. Blanck has met all the conditions. After review of the compliance file, the State does not object to removal of all conditions.

Order:

The Board of Dental Examiners hereby removes all conditions from David R. Blanck's license to practice as a Dentist.

Vermont Office of Professional Regulation

DocuSigned by:

1EB7C7A8E37348A...

Board Chair

Date: _____

Date of Entry: 9/13/2023



State of Vermont
Office of the Secretary of State

Office of Professional Regulation
89 Main Street, 3rd Floor
Montpelier, VT 05620-3402
sos.vermont.gov

Sarah Copeland Hanzas, Secretary of State
S. Lauren Hibbert, Deputy Secretary
Kevin A. Rushing, Director

July 19, 2023

Ultan Doyle, Esq.
Office of Professional Regulation
89 Main Street, 3rd Floor
Montpelier, VT 05620-3402

Case: David Blanck
Credential: License # 016.0001128
Docket No: 2023-32

Dear Attorney Doyle:

Please find the enclosed Request to Remove Conditions filed on the above captioned docket number. Pursuant to the Office of Professional Regulation's Administrative Rule 3.8 you have 10 days to respond to the motion.

You may contact me at (802) 828-2367 if you have any questions.

Sincerely,

/s/ Julie Bowen
Docket Clerk

Enc: *Request to Remove Conditions*

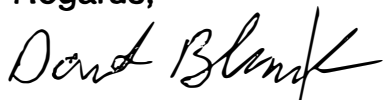
Cc: Elizabeth Kneen, Case Manager
David Blanck, Respondent

July 19, 2023

Dear Ms. Bowen, Docket Clerk state of Vermont OPR

Would you please remove the condition from my dental license. The docket number is 2023-32. I have met the requirements of the stipulation which included a CE course and payment of a fine.

Regards,

A handwritten signature in black ink, appearing to read "David R. Blanck". The signature is fluid and cursive, with the first name "David" and last name "Blanck" clearly distinguishable.

David R. Blanck, D.D.S.

STATE OF VERMONT
SECRETARY OF STATE
OFFICE OF PROFESSIONAL REGULATION
BOARD OF DENTAL EXAMINERS

IN RE:)
DAVID R. BLANCK) Docket No. 2023-32 _____
License No. 016.0001128)

STIPULATION AND CONSENT ORDER

STIPULATION

NOW COMES the State of Vermont, by and through Prosecuting Attorney Ultan Doyle, and Respondent David Blanck, by and through his counsel Nicole Andreson, Esq., who hereby stipulate and agree as follows:

Board Authority

1. The Vermont State Board of Dental Examiners (the "Board") has jurisdiction to hear matters involving allegations of unprofessional conduct committed by dentists, dental hygienists, and dental assistants pursuant to 3 V.S.A. §§127, 129, 129a; 26 V.S.A. Chapter 12; the Administrative Rules of the Board of Dental Examiners ("ARBDE"); and the Rules of the Vermont Office of Professional Regulation ("OPR").

Stipulated Facts

2. David R. Blanck, DDS ("Respondent") of Burlington, Vermont is licensed by the State of Vermont as a dentist under license number 016.00001128. This license was originally issued April 11, 1990, and expires on September 30, 2023.
3. At all relevant times, Respondent was practicing as a dentist at a practice that he owned in Burlington, Vermont.
4. On June 29, 2021, Respondent learned that a colleague's child had passed away.
5. Later that day, at approximately 5:30pm, Respondent received a telephone call from a staff member and learned that his colleague's spouse wanted him to write a prescription for valium to help with sleep.
6. Respondent wrote the colleague's spouse a prescription for twelve Diazepam 5 mg tablets to be taken for jaw pain at bedtime as needed.

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7. Respondent acknowledged to OPR investigators that the prescription was not related to a dental procedure and that it was probably outside the scope of his practice.
8. Respondent did not personally assess the colleague's spouse and did not run a VPMS medical history to determine if there was anything in that history that should have been considered prior to prescribing Diazepam.
9. The investigation did not reveal any evidence of adverse effects for the colleague's spouse as a result of the Diazepam prescription written by Respondent.

Violation One: 3 V.S.A §129a(b)(2) Failure to practice competently by reason of any cause on a single occasion or on multiple occasions may constitute unprofessional conduct, whether actual injury to a client, patient, or customer has occurred. Failure to practice competently includes: (2) failure to conform to the essential standards of acceptable and prevailing practice.

10. Paragraphs 2 through 9 above are incorporated herein.
11. As a dentist, Respondent is required to conform to the essential standards of acceptable and prevailing practice for dentists.
12. Paragraphs 2 through 9 demonstrate that Respondent did not practice competently and did not conform to the essential standards of acceptable and prevailing practice when he prescribed 12 Diazepam tablets to a colleague's spouse for something unrelated to a dental procedure.
13. The act(s), omission(s), and/or circumstance(s) described above constitute grounds for discipline because the Respondent has committed unprofessional conduct in violation of 3 V.S.A. §129a(b)(2).

Understandings

14. Respondent admits that the facts above are true and that the conditions below are necessary to protect the public.
15. Respondent understands that the Board must review and accept the terms of the Consent Order. If the Board rejects any portion, the entire Stipulation and Consent Order shall be null and void.
16. Respondent specifically waives any claims that any disclosures made to the full Board during its review of this agreement have prejudiced his rights to a fair and impartial hearing in future hearings if this agreement is not accepted by the Board.
17. Respondent has read and reviewed this entire document and agrees that it contains the entire agreement between the parties.

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18. Respondent is not under the influence of any drugs or alcohol at the time he signs this Stipulation and Consent Order.
19. Respondent voluntarily enters into this agreement after the opportunity to consult with legal counsel and is not being coerced by anyone into signing this Stipulation and Consent Order.
20. Respondent voluntarily waives the right to a contested hearing before the Board and waives any right to appeal from this Stipulation and Consent Order.
21. Respondent agrees that the Order set forth below may be entered by the Board.

ORDER

Based on the Stipulation above, it is **ORDERED AND ADJUDGED** as follows:

- A. The Board hereby **WARNS** Respondent's license.
 - B. An **ADMINISTRATIVE PENALTY OF ONE THOUSAND DOLLARS** (\$1,000.00) is assessed against Respondent. Respondent shall remit payment within six (6) months of the date of entry of this Order. Payment of the penalty may be made on a payment plan if needed.
- A. The Board of Dental Examiners hereby **CONDITIONS** Respondent's license commencing with the date of entry of this Stipulation and Consent Order:
 1. Re-issuance of License. Upon the commencement of these conditions, Respondent shall be issued a license labeled "conditioned."
 2. License Renewal. This Order does not automatically extend the license and Respondent must comply with the requirements for license renewal.
 3. Required Coursework. Respondent shall, at his own expense and within ninety (90) days of the date of entry of this Stipulation and Consent Order, satisfactorily complete the following pre-approved courses:
 - i. Prescribing Controlled Substances - Part 3 of ADA & DEA Series (1 credit hour - offered by the ADA).

*Respondent must provide satisfactorily completed workbooks and certificates of completion to the Case Manager.

**Coursework may not be counted toward any continuing education requirement of licensure.

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- B. Upon compliance with and completion of all required conditions, Respondent must petition to remove any or all conditions from the license and demonstrate full compliance with the Order.
- C. Notwithstanding any provision above, Respondent must continue to meet all requirements to maintain licensure, for license renewal, and for license reinstatement.
- D. This Stipulation and Consent Order is a matter of public record and may be reported to other licensing authorities as provided in 3 V.S.A. § 129(a).
- E. This Stipulation and Consent Order will remain part of Respondent's licensing file and may be considered relative to any future disciplinary matter.

AGREED TO:

STATE OF VERMONT
SECRETARY OF STATE

Dated: 6/19/23

By: Ultan Doyle
Ultan Doyle, Esq.
State Prosecuting Attorney

DAVID BLANCK
RESPONDENT

Dated: 6/16/2023

By: David Blank DDS
~~David Blank~~
Blank

APPROVED AS TO FORM:

NICOLE ANDRESON
ATTORNEY FOR RESPONDENT

Dated: 6/16/2023

By: Nicole Anderson
Nicole Anderson, Esq.

STATE OF VERMONT



Prosecuting Attorney
Office of
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89 Main Street
3rd Floor
Montpelier, VT
05620-3402

APPROVED AND SO ORDERED:

VERMONT BOARD OF DENTAL
EXAMINERS

Dated: _____

DocuSigned by:
By: Robert Ruhl
Chairperson

Date of Entry: 7/12/2023

STATE OF VERMONT



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STATE OF VERMONT
Secretary of State
Office of Professional Regulation
Board of Dental Examiners

IN RE: DAVID R. BLANCK
License No. 016.0001128

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Case No. 2023-32

RESPONDENT'S ANSWER
TO SPECIFICATION OF CHARGES

Respondent David R. Blanck submits the following answer to the
Specification of Charges, dated February 22, 2023:

AUTHORITY

1. This paragraph states a legal conclusion to which no response is
required.

STATEMENT OF FACTS

2. Admitted.
3. Admitted.
4. Admitted.
5. Admitted.
6. Admitted to the extent consistent with the actual prescription record;
otherwise denied as phrased.
7. Denied.
8. Admitted to the extent consistent with the actual recording of
Respondent's interview with OPR investigators; otherwise denied as phrased.
9. Admitted.

VIOLATION ONE: 26 V.S.A. §584(3)

10. Respondent incorporates his responses to paragraphs 2 through 9 above.

11. This paragraph states a legal conclusion to which no response is required.

12. This paragraph states a legal conclusion to which no response is required. To the extent a response is required, denied.

13. Denied.

VIOLATION TWO: 3 V.S.A. §129a(b)(2)

14. Respondent incorporates his responses to paragraphs 2 through 9 above.

15. This paragraph states a legal conclusion to which no response is required.

16. This paragraph states a legal conclusion to which no response is required. To the extent a response is required, denied.

17. Denied.

DEFENSES

To the extent disclosed by discovery, this matter may be barred in whole or in part by the following:

1. Respondent did not engage in unprofessional conduct as alleged; and
2. Respondent reserves the right to raise additional defenses as revealed in discovery.

WHEREFORE, Respondent denies the relief requested.

DATED at Burlington, Vermont this 12th day of April, 2023.

By: /s/ Nicole Andreson

Nicole Andreson, Esq.

Dinse P.C.

209 Battery Street

P.O. Box 988

Burlington, VT 05402

802-864-5751

nandreson@dinse.com

For Respondent David R. Blanck

cc: Ultan Doyle, Esq.

**STATE OF VERMONT
SECRETARY OF STATE
OFFICE OF PROFESSIONAL REGULATION
BOARD OF DENTAL EXAMINERS**

IN RE:)
DAVID R. BLANCK) **Docket No. 2023-32**
License No. 016.0001128)

SPECIFICATION OF CHARGES

NOW COMES the State of Vermont, by and through State Prosecuting Attorney, Ultan Doyle, and makes the following charges against the Respondent, David R. Blanck:

Authority

1. The Vermont State Board of Dental Examiners (the "Board") has jurisdiction to hear matters involving allegations of unprofessional conduct committed by dentists, dental hygienists, and dental assistants pursuant to 3 V.S.A. §§127, 129, 129a; 26 V.S.A. Chapter 12; the Administrative Rules of the Board of Dental Examiners ("ARBDE"); and the Rules of the Vermont Office of Professional Regulation ("OPR").

Statement of Facts

2. David R. Blanck, DDS ("Respondent") of Burlington, Vermont is licensed by the State of Vermont as a dentist under license number 016.00001128. This license was originally issued April 11, 1990, and expires on September 30, 2023.
3. At all relevant times, Respondent was practicing as a dentist at a practice that he owned in Burlington, Vermont.
4. On June 29, 2021, Respondent learned that a colleague's child had passed away.
5. Later that day, at approximately 5:30pm, Respondent learned that his colleague's spouse wanted him to write a prescription for valium to help with sleep.
6. Respondent wrote the colleague's spouse a prescription for twelve Diazepam 5 mg tablets to be taken for jaw pain at bedtime as needed.
7. At no time was the colleague's spouse ever Respondent's patient.
8. Respondent admitted to OPR investigators that the prescription was not related to a dental procedure and that it was probably outside the scope of his practice.

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9. Respondent did not assess the colleague's spouse and did not run a VPMS medical history to determine if there was anything in that history that should have been considered prior to prescribing Diazepam.

Violation One: 26 V.S.A §584(3) Promotion of the sale of drugs, devices, appliances, goods, or services provided for a patient in a manner to exploit the patient for financial gain or selling, prescribing, giving away, or administering drugs for other than legal and legitimate therapeutic purposes.

10. The State re-alleges and incorporates Paragraphs 2 through 9 above.
11. As a dentist, Respondent is prohibited from prescribing drugs for anything other than legal and therapeutic purposes.
12. Paragraphs 2 through 9 demonstrate that Respondent prescribed drugs for something other than a legal or therapeutic purpose when he prescribed 12 Diazepam tablets to a colleague's spouse, who was not a patient of his, for something unrelated to a dental procedure.
13. The act(s), omission(s), and/or circumstance(s) described above constitute grounds for discipline because the Respondent has committed unprofessional conduct in violation of 26 V.S.A. §584(3).

Violation Two: 3 V.S.A §129a(b)(2) Failure to practice competently by reason of any cause on a single occasion or on multiple occasions may constitute unprofessional conduct, whether actual injury to a client, patient, or customer has occurred. Failure to practice competently includes: (2) failure to conform to the essential standards of acceptable and prevailing practice.

14. The State re-alleges and incorporates Paragraphs 2 through 9 above.
15. As a dentist, Respondent is required to conform to the essential standards of acceptable and prevailing practice for dentists.
16. Paragraphs 2 through 9 demonstrate that Respondent failed to practice competently and failed to conform to the essential standards of acceptable and prevailing practice when he prescribed 12 Diazepam tablets to a colleague's spouse, who was not a patient of his, for something unrelated to a dental procedure.
17. The act(s), omission(s), and/or circumstance(s) described above constitute grounds for discipline because the Respondent has committed unprofessional conduct in violation of 3 V.S.A. §129a(b)(2).

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Relief Requested

WHEREFORE, the license of David R. Blanck should be revoked, suspended, reprimanded, conditioned, or otherwise disciplined.

DATED at Montpelier, Vermont this 22nd day of February, 2023.

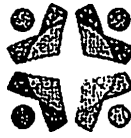
STATE OF VERMONT
SECRETARY OF STATE

By: Ultan Doyle
Ultan Doyle
State Prosecuting Attorney
89 Main Street, 3rd Floor
Montpelier, VT 05620-3402
(802)828-1217
ultan.doyle@vermont.gov

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Microsoft Teams Meetings Instructions

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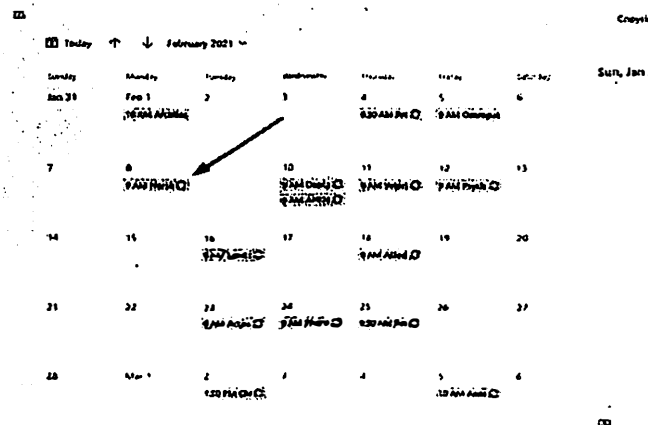
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On a Computer	2
On a Mobile Device	3
Lobby	4
Meeting Controls.....	4
Microphone Reminder.....	5
Chat.....	5

Join the Meeting or Hearing

You can find the link for the Board or Advisor meeting or your hearing on OPR's public calendar or on the meeting agenda. You will need to download the agenda to click the link.

A link to the OPR public calendar can be found at the bottom of OPR's website (<https://sos.vermont.gov/opr>) in the center of the page.

To join the meeting or hearing through the OPR public calendar, go to the date of the meeting or hearing on the OPR public calendar and click on the blue meeting or hearing link on that date.



A new window will open. To join the meeting or hearing remotely, select "Click here to join the meeting".

Microsoft Teams meeting

Join on your computer or mobile app

[Click here to join the meeting](#)

[Learn More](#) | [Meeting options](#)

You may also participate in the meeting or hearing using a telephone only by calling the phone number and entering the Conference ID found in the meeting information in the public calendar. (The below is an example and will not allow you to access the meeting.)

Audio Controls: *6 to MUTE or UNMUTE

Microsoft Teams meeting

Join on your computer or mobile app

[Click here to join the meeting](#)

Or call in (audio only)

+1 802-828-7667, 527426806# United States, Montpelier

Phone Conference ID: 

[Find a local number](#) | [Reset PIN](#)

[Learn More](#) | [Meeting options](#)

On a Computer

When you click on "Click here to join the meeting", you will be prompted to select whether you want to download the Teams app, join on the browser or open an existing Teams app. If you do not have Teams or do not know if you have Teams, we recommend selecting "Continue on the browser".

How do you want to join your Teams meeting?



Download the Windows app

Use the desktop app for the best experience.



Continue on this browser

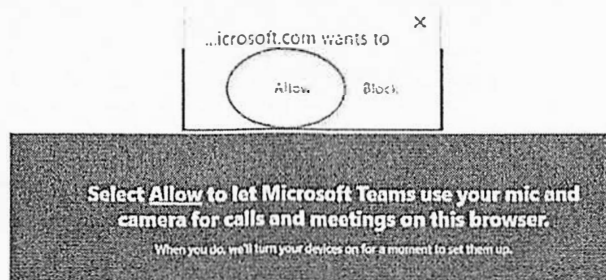
No download or installation required.



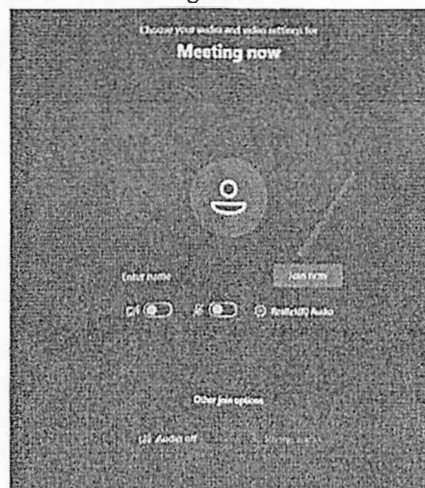
Open your Teams app

Already have it? Go right to your meeting.

If it is your first time joining Teams, it may ask you to allow access to your microphone and camera. To allow full participation in the meeting or hearing, please select "Allow".



Next, you will enter your name as you want it to appear in the meeting or hearing and set your audio and visual options before selecting "Join now".



On a Mobile Device

When you click "Click here to join the meeting", you will be prompted to download or open the Teams app.



Once you are in the app, set your audio and visual options before selecting “Join now”.



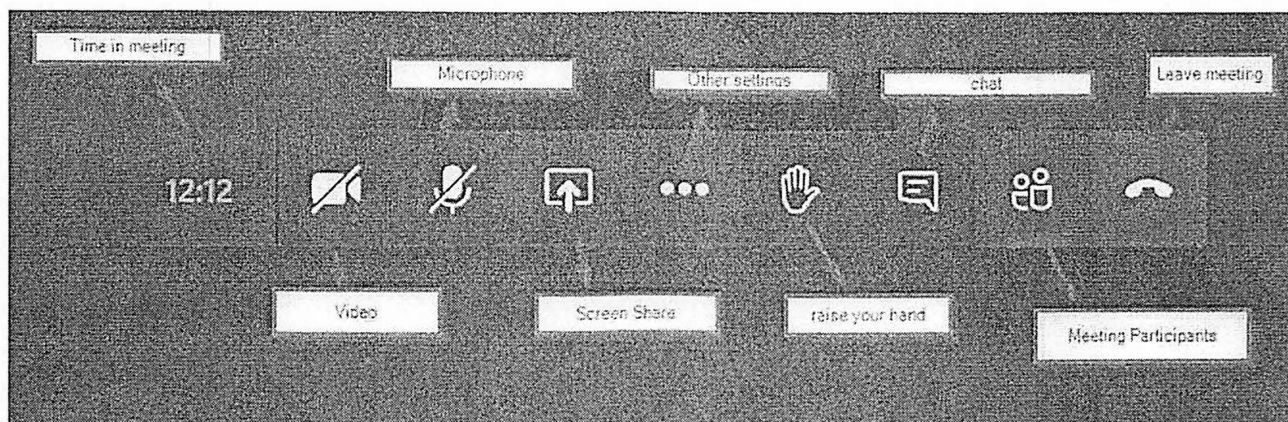
Lobby

If the organizer has set up the lobby, you will be notified that the host will let you into the meeting or hearing shortly. Most OPR meetings will not have the lobby.



Meeting Controls

Once you are in the meeting or hearing, you will have access to controls for viewing, listening and speaking, including the ability to raise your hand to speak. Click “other settings” for more features such as closed captioning.



Microphone Reminder

While the meeting is running, please remain muted unless you are speaking.

Chat

The chat may be monitored, but it does not take the place of meeting participation. Meeting participation must take place verbally in the meeting.