

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

IN RE:)
Catherine Cech) **Docket No. 2024-55**
License No. 016.0001235)

STIPULATED VOLUNTARY SURRENDER OF LICENSE AND ORDER

STIPULATION

NOW COME the State of Vermont, by and through Prosecuting Attorney Ultan Doyle, and Respondent Catherine Cech, by and through her attorney, Alexandra L. Nelson, who hereby Stipulate and Agree as follows:

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").

Alleged Facts

2. Catherine Cech, DMD ("Respondent") of Manchester Center, Vermont is licensed by the State of Vermont as a dentist under license number 016.0001235. This license was originally issued on January 27, 1995, and expires on September 30, 2025.
3. During the relevant time period, Respondent worked as a dentist at a practice (the "Practice") she owned in Manchester, Vermont.
4. On April 18, 2023, an investigator from the Drug Enforcement Administration ("DEA") reported to OPR that he had received an anonymous complaint, which stated that Respondent had been purchasing controlled substances from a dental supply distributor for her own person use.
5. The DEA investigator obtained a transaction summary report from the dental supply distributor which showed that Respondent had purchased approximately 4,700 tablets of the following controlled substances between 2019 to 2022:
 - a. 2022: Nine hundred (900) 2mg tablets of Alprazolam
Four hundred (400) 10 mg tablets of Zolpidem Tartrate

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- b. 2021: Five hundred (500) 10 mg tablets of Diazepam
Two hundred (200) 10 mg tablets of Zolpidem Tartrate
One hundred (100) 2mg tablets of Lorazepam
Ten (10) bottles of Midazolam
 - c. 2020: One thousand (1,000) 10mg tablets of Diazepam
Three hundred (300) 10 mg tablets of Zolpidem Tartrate
Two hundred (200) 5 mg tablets of Zolpidem Tartrate
One hundred (100) 0.5 mg tablets of Xanax
 - d. 2019: Seven hundred (700) 2mg tablets of Alprazolam
Three hundred (300) 10 mg tablets of Zolpidem Tartrate
- 6. Vermont Prescription Monitoring System ("VPMS") records show that Respondent wrote 12 prescriptions for patients of the practice for the controlled substances Diazepam (21 tablets), Lorazepam (15 tablets), Hydrocodone-Ibuprofen (25 tablets) and Hydrocodone-Acetaminophen (16 tablets) between June 27, 2019 and March 9, 2023.
 - 7. These were the only controlled substances that she prescribed during that time, and they amounted to a total of 77 tablets.
 - 8. Prior to writing these prescriptions, Respondent did not perform any VPMS queries to check patients' prescription history or to check for medication contraindications.
 - 9. Hydrocodone-Ibuprofen and Hydrocodone-Acetaminophen are Schedule III Controlled Substances, and Diazepam and Lorazepam are Schedule IV Controlled Substances.
 - 10. On May 16, 2023, a DEA and OPR investigator visited Respondent's practice and interviewed Respondent and the employees who were there at the time.
 - 11. Respondent admitted to investigators that she had ordered controlled substances in the past but said they were for patient use and that she no longer had any controlled substances at her practice.
 - 12. Respondent said that she prescribed approximately 48 tablets of controlled substances a year and claimed that she flushed the remainder of the controlled substances she had purchased down the toilet after they had expired.
 - 13. Respondent did not have anyone witness the disposal of the medications and did not document their disposal in any way.
 - 14. J.R. worked as a dental assistant for Respondent from June of 2021 until April of 2023 and was working as an officer manager for Respondent when she was interviewed by investigators.

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15. J.R. reported that only antibiotics were kept at the practice and that patients who were prescribed controlled substances for anxiety were given paper prescriptions to be filled at a pharmacy.
16. To J.R.'s knowledge, Respondent did not prescribe controlled substances for pain.
17. R.K. worked as a dental assistant for Respondent from June 2019 to June of 2022, and had recently begun working again for Respondent as a dental assistant when she was interviewed by investigators.
18. R.K. was not aware that Respondent had ever prescribed pain medication.
19. Respondent did prescribe patients medications for anxiety on a few occasions, but the patients had to take a paper prescription to a pharmacy to have the prescriptions filled.
20. The only medications that were given to patients at the practice were antibiotics.
21. E.C. told investigators that she had worked as a dental assistant for Respondent since September of 2022.
22. E.C. reported that the only controlled substance she had seen at the practice was Midazolam and said that if Respondent prescribed medication to a patient, she would give the patient a paper prescription to have it filled at a pharmacy.
23. On May 16, 2023, investigators interviewed L.T. who had worked as an office manager at Respondent's practice from approximately February of 2017 to April of 2023.
24. L.T. told investigators that there were no controlled substances kept at the practice.
25. L.T. said that Respondent had controlled substances, primarily Ambien or Xanax, shipped to the practice.
26. L.T. was not aware of any controlled substances ever being given to patients.
27. Instead, Respondent took these controlled substances home with her.
28. If a patient needed a prescription for a controlled substance for anxiety, Respondent would write the patient a prescription.
29. On May 18, 2023, investigators interviewed C.B., who had worked as a dental assistant for Respondent from 2017 until sometime in either 2018 or 2019.
30. C.B. reported that when she worked for Respondent, the only medications kept on site for administration to patients were ibuprofen and Tylenol, and if patients needed

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a controlled substance or an antibiotic, Respondent would give them a paper prescription to be filled at a pharmacy.

31. Respondent occasionally wrote prescriptions for controlled substances to help with patient anxiety and usually gave patients ibuprofen and Tylenol for pain.
32. On July 10, 2023, investigators interviewed L.R., who worked as a dental assistant for Respondent from 1998 until 2020.
33. L.R. reported that the only medications that were kept at the practice were antibiotics and dexamethasone (a non-controlled anti-inflammatory medication).
34. If a patient required a controlled substance for pain or anxiety, Respondent would give the patient a paper prescription to be filled at a pharmacy.
35. At some point, Respondent began to have controlled substances shipped to practice.
36. Respondent directed L.R. to put these medications in her (Respondent's) office.
37. L.R. said that the medications that were shipped to the office included Ambien, Lorazepam and Xanax.
38. On November 8, 2024, Respondent pleaded guilty in Vermont Superior Court Bennington Criminal Division to one misdemeanor count of possession of a regulated drug.
39. Respondent received a sentence of zero to six months (fully suspended) and was placed on probation for one year.
40. Respondent's probation conditions included a prohibition against possessing regulated drugs without a prescription, and a requirement that Respondent submit to a substance abuse screening and follow through on any treatment recommendations.

Violation One: 3 V.S.A §129a(a)(22) Prescribing, selling, administering, distributing, ordering, or dispensing any drug legally classified as a controlled substance for the licensee's own use or to an immediate family member as defined by rule.

41. Paragraphs 2 through 40 above are incorporated herein.
42. As a dentist, Respondent is prohibited from prescribing, selling, administering, distributing, ordering, or dispensing any drug legally classified as a controlled substance for her own use.
43. Paragraphs 2 through 40 demonstrate that Respondent ordered controlled substances for her own personal use between 2019 and 2022.

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44. 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(a)(22).

Violation Two: 3 V.S.A. § 129a(a)(28) Engaging in conduct of a character likely to deceive, defraud, or harm the public.

45. Paragraphs 2 through 40 above are incorporated herein.
46. As a dentist, Respondent is required to refrain from engaging in conduct of a character likely to deceive, defraud, or harm the public.
47. Paragraphs 2 through 40 demonstrate that Respondent engaged in conduct of a character likely to harm the public when she ordered controlled substances for her own personal use between 2019 and 2022.
48. The act(s), omission(s), and/or circumstance(s) described above constitute grounds for discipline because Respondent committed unprofessional conduct of a character likely to deceive, defraud, or harm the public in violation of 3 V.S.A. § 129a(a)(28).

Violation Three: 3 V.S.A. §129a(a)(15) Failing to exercise independent professional judgment in the performance of licensed activities when that judgment is necessary to avoid action repugnant to the obligations of the profession.

49. Paragraphs 2 through 40 above are incorporated herein.
50. As a dentist, Respondent is required to exercise her own independent professional judgment in the performance of licensed activities when that judgment is necessary to avoid action repugnant to the obligations of the profession.
51. Respondent's conduct in Paragraphs 2 through 40 above demonstrate Respondent's failure to exercise his own professional judgment in the performance of licensed activities when she ordered controlled substances for her own personal use between 2019 and 2022.
52. 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(a)(15).

Violation Four: 3 V.S.A. §129a(a)(3) Failing to comply with provisions of federal or State statutes or rules governing the practice of the profession.

53. Paragraphs 2 through 40 above are incorporated herein.

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54. Respondent is required to comply with provisions of federal or State statutes or rules governing the practice of the profession.
55. Rule 6.2 of the VPMS Rules provides that a licensed prescriber must query the VPMS system when:
- 6.2.1 The first time the provider prescribes an opioid Schedule II, III, or IV controlled substance written to treat pain when such a prescription exceeds 10 pills or the equivalent; or
- 6.2.3 Prior to writing a replacement prescription for a Schedule II, III, or IV controlled substance.
56. Paragraphs 6 through 9 demonstrate that Respondent Agency failed to comply with Rule 6.2 of the VPMS Rules by failing to query the VPMS prior to prescribing Hydrocodone-Ibuprofen and Hydrocodone-Acetaminophen (Schedule III Controlled Substances) and Diazepam and Lorazepam (Schedule IV Controlled Substances).
57. The act(s), omission(s), and/or circumstance(s) described above constitute grounds for discipline because Respondent committed unprofessional conduct in violation of 3 V.S.A. §129a(a)(3).

Understandings

58. This Stipulation is neither an admission of liability by Respondent nor a concession by the State of Vermont that its charges are not well-founded. To avoid delay, uncertainty, inconvenience, and the expense of protracted litigation, the Parties enter this full and final Stipulation pursuant to these Understandings and the Order below. Respondent does not dispute that the State may be able to prove these charges by a preponderance of the evidence if this matter proceeds to a merits hearing.
59. 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.
60. Respondent specifically waives any claim that any disclosures made to the Board during review of this agreement have prejudiced Respondent's right to a fair and impartial hearing if this agreement is not accepted and proceeds to a hearing on the merits before the same Board.
61. Respondent has read and reviewed this entire document and agrees it contains the entire agreement between the parties.
62. Respondent is not under the influence of any drugs or alcohol at the time of signing this Stipulation and Consent Order.

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63. 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.
64. Respondent voluntarily waives the right to a contested hearing before the Board and waives any right to appeal from this Stipulation and Consent Order.
65. Respondent understands that she is responsible for all compliance costs associated with this Stipulation and Consent Order.
66. Respondent agrees the Board may enter the Order set forth below.

ACCEPTANCE OF VOLUNTARY SURRENDER AND ORDER

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

- A. The Board of Dental Examiners hereby **ACCEPTS** Respondent's **VOLUNTARY SURRENDER** of her license to practice as a dentist from the date of entry below.
- B. Any future application for licensure shall be subject to the licensing requirements of that particular profession. If a future application for licensure in the State of Vermont is approved, that license shall be **CONDITIONED** pursuant to whatever terms are found to be reasonable at the time of Respondent's application for licensure, taking into account the facts above.
- C. This Stipulated Voluntary Surrender of License and Order is a matter of public record and may be reported to other licensing authorities as provided in 3 V.S.A. §129(a).
- D. This Stipulated Voluntary Surrender of License and Order will remain part of Respondent's licensing file and may be used for purposes of determining sanctions in any future disciplinary matter.

AGREED TO:

STATE OF VERMONT
SECRETARY OF STATE

Dated: 12/13/24

By: Ultan Doyle
Ultan Doyle
Prosecuting Attorney

CATHERINE CECH
RESPONDENT

Dated: Dec. 13, 2024

By: Catherine Cech

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APPROVED AS TO FORM:

ATTORNEY FOR RESPONDENT

Dec. 13, 2024
Dated: _____

By: Alexandrea L. Nelson
Alexandrea L. Nelson, Esq.

APPROVED AND SO ORDERED:

VERMONT BOARD OF DENTAL EXAMINERS

Dated: 1/8/25 By: Signed by: Robert Ruhl
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Board Chair

Date of Entry: 1/9/25

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IN RE:)
Catherine Cech) **Docket No. 2024-**
License No. 016.0001235)

SPECIFICATION OF CHARGES

NOW COMES the State of Vermont, by and through State Prosecuting Attorney, Ultan Doyle, and makes the following charges against Respondent, Catherine Cech:

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. Catherine Cech, DMD (“Respondent”) of Manchester Center, Vermont is licensed by the State of Vermont as a dentist under license number 016.0001235. This license was originally issued on January 27, 1995, and expires on September 30, 2025.
3. During the relevant time period, Respondent worked as a dentist at a practice (the “Practice”) she owned in Manchester, Vermont.
4. On April 18, 2023, an investigator from the Drug Enforcement Administration (“DEA”) reported to OPR that he had received an anonymous complaint, which stated that Respondent had been purchasing controlled substances from a dental supply distributor for her own person use.
5. The DEA investigator obtained a transaction summary report from the dental supply distributor which showed that Respondent had purchased approximately 4,700 tablets of the following controlled substances between 2019 to 2022:
 - a. 2022: Nine hundred (900) 2mg tablets of Alprazolam
Four hundred (400) 10 mg tablets of Zolpidem Tartrate
 - b. 2021: Five hundred (500) 10 mg tablets of Diazepam
Two hundred (200) 10 mg tablets of Zolpidem Tartrate
One hundred (100) 2mg tablets of Lorazepam

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- Ten (10) bottles of Midazolam
- c. 2020: One thousand (1,000) 10mg tablets of Diazepam
Three hundred (300) 10 mg tablets of Zolpidem Tartrate
Two hundred (200) 5 mg tablets of Zolpidem Tartrate
One hundred (100) 0.5 mg tablets of Xanax
- d. 2019: Seven hundred (700) 2mg tablets of Alprazolam
Three hundred (300) 10 mg tablets of Zolpidem Tartrate

6. Vermont Prescription Monitoring System (“VPMS”) records show that Respondent wrote 12 prescriptions for patients of the practice for the controlled substances Diazepam (21 tablets), Lorazepam (15 tablets), Hydrocodone-Ibuprofen (25 tablets) and Hydrocodone-Acetaminophen (16 tablets) between June 27, 2019 and March 9, 2023.
7. These were the only controlled substances that she prescribed during that time, and they amounted to a total of 77 tablets.
8. Prior to writing these prescriptions, Respondent did not perform any VPMS queries to check patients’ prescription history or to check for medication contraindications.
9. Hydrocodone-Ibuprofen and Hydrocodone-Acetaminophen are Schedule III Controlled Substances, and Diazepam and Lorazepam are Schedule IV Controlled Substances.
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11. Respondent admitted to investigators that she had ordered controlled substances in the past but said they were for patient use and that she no longer had any controlled substances at her practice.
12. Respondent said that she prescribed approximately 48 tablets of controlled substances a year and claimed that she flushed the remainder of the controlled substances she had purchased down the toilet after they had expired.
13. Respondent did not have anyone witness the disposal of the medications and did not document their disposal in any way.
14. J.R. worked as a dental assistant for Respondent from June of 2021 until April of 2023 and was working as an officer manager for Respondent when she was interviewed by investigators.
15. J.R. reported that only antibiotics were kept at the practice and that patients who were prescribed controlled substances for anxiety were given paper prescriptions to be filled at a pharmacy.

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16. To J.R.'s knowledge, Respondent did not prescribe controlled substances for pain.
17. R.K. worked as a dental assistant for Respondent from June 2019 to June of 2022, and had recently begun working again for Respondent as a dental assistant when she was interviewed by investigators.
18. R.K. was not aware that Respondent had ever prescribed pain medication.
19. Respondent did prescribe patients medications for anxiety on a few occasions, but the patients had to take a paper prescription to a pharmacy to have the prescriptions filled.
20. The only medications that were given to patients at the practice were antibiotics.
21. E.C. told investigators that she had worked as a dental assistant for Respondent since September of 2022.
22. E.C. reported that the only controlled substance she had seen at the practice was Midazolam and said that if Respondent prescribed medication to a patient, she would give the patient a paper prescription to have it filled at a pharmacy.
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31. Respondent occasionally wrote prescriptions for controlled substances to help with patient anxiety and usually gave patients ibuprofen and Tylenol for pain.
32. On July 10, 2023, investigators interviewed L.R., who worked as a dental assistant for Respondent from 1998 until 2020.
33. L.R. reported that the only medications that were kept at the practice were antibiotics and dexamethasone (a non-controlled anti-inflammatory medication).
34. If a patient required a controlled substance for pain or anxiety, Respondent would give the patient a paper prescription to be filled at a pharmacy.
35. At some point, Respondent began to have controlled substances shipped to practice.
36. Respondent directed L.R. to put these medications in her (Respondent's) office.
37. L.R. said that the medications that were shipped to the office included Ambien, Lorazepam and Xanax.
38. After Respondent started to order the controlled substances, L.R. observed that Respondent sometimes had a stumbling gate, slurred speech, and erratic mood swings.
39. On March 18, 2023, Respondent was charged in Vermont Superior Court Bennington Criminal Division with one felony count of Prescription Fraud.
40. Respondent entered a not guilty plea and was released on conditions including a condition that she not buy, have or use controlled substances without a prescription, and that she not prescribe or procure or administer any controlled substance.

Violation One: 3 V.S.A §129a(a)(22) Prescribing, selling, administering, distributing, ordering, or dispensing any drug legally classified as a controlled substance for the licensee's own use or to an immediate family member as defined by rule.

41. The State re-alleges and incorporates Paragraphs 2 through 40 above.
42. As a dentist, Respondent is prohibited from prescribing, selling, administering, distributing, ordering, or dispensing any drug legally classified as a controlled substance for her own use.
43. Paragraphs 2 through 40 demonstrate that Respondent ordered controlled substances for her own personal use between 2019 and 2022.

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44. 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(a)(22).

Violation Two: 3 V.S.A. § 129a(a)(28) Engaging in conduct of a character likely to deceive, defraud, or harm the public.

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46. As a dentist, Respondent is required to refrain from engaging in conduct of a character likely to deceive, defraud, or harm the public.
47. Paragraphs 2 through 40 demonstrate that Respondent engaged in conduct of a character likely to harm the public when she ordered controlled substances for her own personal use between 2019 and 2022.
48. The act(s), omission(s), and/or circumstance(s) described above constitute grounds for discipline because Respondent committed unprofessional conduct of a character likely to deceive, defraud, or harm the public in violation of 3 V.S.A. § 129a(a)(28).

Violation Three: 3 V.S.A. §129a(a)(15) Failing to exercise independent professional judgment in the performance of licensed activities when that judgment is necessary to avoid action repugnant to the obligations of the profession.

49. The State re-alleges and incorporates Paragraphs 2 through 40 above.
50. As a dentist, Respondent is required to exercise her own independent professional judgment in the performance of licensed activities when that judgment is necessary to avoid action repugnant to the obligations of the profession.
51. Respondent's conduct in Paragraphs 2 through 40 above demonstrate Respondent's failure to exercise his own professional judgment in the performance of licensed activities when she ordered controlled substances for her own personal use between 2019 and 2022.
52. 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(a)(15).

Violation Four: 3 V.S.A. §129a(a)(3) Failing to comply with provisions of federal or State statutes or rules governing the practice of the profession.

53. The State re-alleges and incorporates Paragraphs 2 through 40 above.

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54. Respondent is required to comply with provisions of federal or State statutes or rules governing the practice of the profession.
55. Rule 6.2 of the VPMS Rules provides that a licensed prescriber must query the VPMS system when:
- 6.2.1 The first time the provider prescribes an opioid Schedule II, III, or IV controlled substance written to treat pain when such a prescription exceeds 10 pills or the equivalent; or
- 6.2.3 Prior to writing a replacement prescription for a Schedule II, III, or IV controlled substance.
56. Paragraphs 6 through 9 demonstrate that Respondent Agency failed to comply with Rule 6.2 of the VPMS Rules by failing to query the VPMS prior to prescribing Hydrocodone-Ibuprofen and Hydrocodone-Acetaminophen (Schedule III Controlled Substances) and Diazepam and Lorazepam (Schedule IV Controlled Substances).
57. The act(s), omission(s), and/or circumstance(s) described above constitute grounds for discipline because Respondent committed unprofessional conduct in violation of 3 V.S.A. §129a(a)(3).

Relief Requested

WHEREFORE, the license of Catherine Cech should be revoked, suspended, reprimanded, conditioned, or otherwise disciplined.

DATED at Montpelier, Vermont this 26th day of March, 2024.

STATE OF VERMONT
SECRETARY OF STATE

By: Ultan Doyle
Ultan Doyle
State Prosecuting Attorney
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