

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

IN RE

HARVEY SAMUEL COCO

License No. 016-0001197

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Docket No: DE 12-0902

STIPULATION AND CONSENT ORDER

Comes Now the State of Vermont by and through Prosecuting Attorney, Robert H. Backus and Respondent, Harvey Samuel Coco, in person and through his attorney, Barry E. Griffith, and request the board to accept the following agreement as to the appropriate disposition in this matters. The parties agree as follows.

BOARD AUTHORITY

1. The Vermont Board of Dental Examiners ("Board") has jurisdiction to investigate and adjudicate allegations of unprofessional conduct committed by dentists and dental surgeons pursuant to 3 V.S.A. §§129, 129a and 814; 26 V.S.A. §§767 and 809, the Board's Administrative Rules and the Office of Professional Regulation's Rules.
2. Failure to comply with the provisions of state statutes or rules governing the practice of the profession is unprofessional conduct upon which the Board can impose disciplinary action, 3 V.S.A. §129a(a)(3).
3. Conviction of a felony is unprofessional conduct upon which the Board can impose disciplinary action , 3 V.S.A. §129a(a)(10).

FACTS

4. Respondent Harvey Samuel Coco is licensed as a dentist in the State of Vermont under license number 016-0001197.
5. Respondent's license was originally issued on January 13, 1993 and expired on September 30, 2003 and remains inactive.
6. According to certified court records, on June 30, 2003, Respondent was convicted in the Vermont District Court, Bennington Circuit, Case No. 1246-8-02 BnCr of one count of embezzlement, in violation of 13 V.S.A. §2531, a felony.

STATE OF VERMONT



Prosecuting Attorney
Office of
Professional Regulation
Montpelier, VT 05602

CHARGES

7. The above acts, omissions and/or circumstances constitute grounds for discipline because Respondent violated:
 - a. 3 V.S.A. §129a(a)(10) (Conviction of a crime related to the practice of the profession or conviction of a felony, whether or not related to the profession).
 - b. 3 V.S.A. §129a(a)(3) (Failure to comply with the provisions of state statutes or rules governing the practice of the profession).

UNDERSTANDINGS

8. 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 void.
9. Respondent has reviewed the entire document and agrees that it sets out the entire agreement of the parties, freely and voluntarily entered into.
10. Respondent waives any notification period and agrees to have this document reviewed by the Board during its next meeting. Respondent specifically waives any claim that presentation of this stipulation to the Board has prejudiced his right to a fair and impartial hearing should the Board reject this stipulation.
11. Respondent voluntarily waives his right to a contested hearing before the Board.
12. Respondent voluntarily waives his right to appeal the decision and order of the Board entered under this stipulation.

ORDER

13. The Board adopts the facts as set out above and based on them it finds that Respondent has committed unprofessional conduct in violation of:
 - a. 3 V.S.A. §129a(a)(10) (Conviction of a crime related to the practice of the profession or conviction of a felony, whether or not related to the profession).
 - b. 3 V.S.A. §129a(a)(3) (Failure to comply with the provisions of state statutes or rules governing the practice of the profession).
14. The Respondent's license is reprimanded.
15. The Respondent's license is conditioned as follows:

STATE OF VERMONT



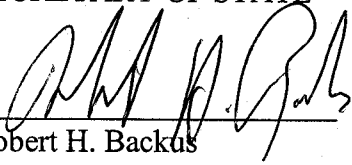
Prosecuting Attorney
Office of
Professional Regulation
Montpelier, VT 05602

- a. Respondent shall abide by all conditions of probation imposed in 1246-8-02 BnCr, as they were originally imposed and as they shall from time to time be changed.
- b. Respondent shall inform the Board within ten days of any charges that he violated his probation or of any new criminal charges.
- c. Whenever Respondent's conditions of probation are changed he shall send the Board a new copy of his conditions within ten days of the change.
- d. Respondent shall arrange for his probation officer to send quarterly reports to the Board regarding his compliance with his conditions of probation.
- e. If the Respondent moves or changes his telephone number he shall inform the Board of the new information within ten days.
- f. Respondent's license is conditioned for two years from the date of entry of this order, or until he is discharged from probation, whichever is longer. In the event he is discharged from probation after two years from the date of entry he shall notify the Board within ten days and provide proof that he has completed probation satisfactorily. The Board then has sixty days to determine that he is in compliance with these conditions or that further action is needed. If the Board takes no further action within the sixty days the condition shall be removed from his license.

16. A violation of the terms of this order shall be grounds for further disciplinary action.
17. The final disposition of the complaint against Respondent is public and the Commission may notify other states of its disposition as provided in 3 V.S.A. §129(a)(8).
18. Respondent understands that this Stipulation and Consent Order will remain part of his licensing file and may be used for purposes of determining sanctions in any future disciplinary matter.

Respectfully submitted this 27th of January, 2007

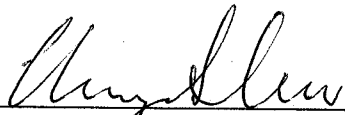
STATE OF VERMONT
SECRETARY OF STATE


Robert H. Backus
Prosecuting Attorney

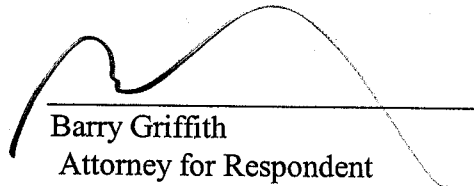
STATE OF VERMONT



Prosecuting Attorney
Office of
Professional Regulation
Montpelier, VT 05602



Harvey Samuel Coco
Respondent



Barry Griffith
Attorney for Respondent

APPROVED AND SO ORDERED:

Dated: 2/11/04

Date of entry: 2/11/04

Board of Dental Examiners

by: 
Chairperson

STATE OF VERMONT



Prosecuting Attorney
Office of
Professional Regulation
Montpelier, VT 05602