

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

IN RE:)
SAMANTHA CONLON)
Registration No. 0140001951)

Docket No: DE08-1008

STIPULATION AND CONSENT ORDER

STIPULATION

NOW COMES the State of Vermont, through State Prosecuting Attorney, Gregg Meyer, and Respondent, Samantha Conlon, by and through counsel Maryanne Kampmann, who stipulate and agree as follows:

Authority

1. The Board of Dental Examiners ("Board") has jurisdiction to investigate and adjudicate complaints of unprofessional conduct against dentists pursuant to 3 V.S.A. §§129 and 129a; 26 V.S.A. §§767 and 809; the Administrative Rules of the Board of Dental Examiners; and the Rules of the Office of Professional Regulation.

Statement of Facts

2. Respondent is a registered dental assistant in the State of Vermont holding registration number 0140001951. Respondent was first registered on or about 7/22/03, and her registration is currently set to expire on or about 9/30/09.
3. On or about October 8, 2008, Respondent, by and through her attorney, notified the Office of Professional Regulation (OPR) that she had entered into a deferred sentence agreement in Chittenden District Court for one count of prescription fraud. Respondent's counsel further notified the OPR that as part of her agreement, four other counts of prescription fraud were dismissed as was one count of marijuana possession.
4. As part of her deferred sentence, Respondent will continue with the substance abuse counseling she undertook on her own initiative following her arrest.
5. Respondent is not now working in her registered capacity as a dental assistant.

Charges

6. The acts, omissions and/or circumstances described above constitute unprofessional conduct pursuant to:

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- (i) 3 V.S.A. Section 129a (10) – Conviction of a crime related to the practice of the profession or conviction of a felony, whether or not related to the practice of the profession.

Understandings

7. The parties understand that the terms of this Stipulation and Consent Order are contingent upon review and acceptance by the Board and that if the Board rejects any portion the entire Stipulation and Consent Order shall be null and void.
8. Respondent has read and reviewed this document fully and agrees that it contains the entire agreement between the parties.
9. This Stipulation and Consent Order is entered into voluntarily by Respondent after the opportunity to consult with legal counsel. Respondent has not been coerced by anyone into signing this Stipulation and Consent Order.
10. Respondent is voluntarily waiving the right to a contested hearing before the Board and waives any right to appeal from this Stipulation and Consent Order.
11. Respondent agrees that the State has sufficient evidence for the Board to find that Respondent has engaged in unprofessional conduct and that the Order set forth below may be entered by the Board.

WHEREFORE, the parties agree that the following constitutes a reasonable resolution given the above violations:

CONSENT ORDER

Based upon the above stipulation, it is **ORDERED AND ADJUDGED** as follows:

- A. Respondent has engaged in unprofessional conduct as set out above.
- B. The Board of Dental Examiners hereby **SUSPENDS** Respondent's registration as a dental assistant and **ORDERS** her to pay an Administrative Penalty of \$250. However, the suspension and additional conditions listed below will be stayed so long as Respondent meets her obligations under the District Court conditions of release. These conditions include her continuing substance abuse treatment.
- C. Respondent's stayed suspension of her registration shall run concurrent with the District Court conditions, which end on March 24, 2010.
- D. Respondent and her treating professional must provide quarterly reports to the Board concerning her treatment status.

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E. Respondent and her probation officer must provide quarterly reports to the Board concerning her completion of her District Court conditions of release.

F. If Respondent works in a dental office in her capacity as a registered dental assistant during the period of her stayed suspension, she must notify her employer of the terms and conditions of this Stipulation and Consent Order and have her employer provide the Board with quarterly reports of her work status.

G. 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).

H. This Stipulation and Consent 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:

Dated: 8/11/09

STATE OF VERMONT
SECRETARY OF STATE

By: Gregg Meyer
State Prosecuting Attorney

Dated: 8/7/09

RESPONDENT
Samantha Conlon

By: Samantha Conlon

Approved as to form:

By: Maryanne Kampmann
Maryanne Kampmann, Esq.
Attorney for Respondent

APPROVED AND SO ORDERED:

Dated: 9-9-09

VERMONT BOARD OF DENTISTRY

By: [Signature], D.D.S.
Chairperson

Date of Entry: 9/11/09

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