

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

IN RE:)
JENNY T. D'AMICO) **Docket No: APP-DE-11-1103**
Registration No.: 013-0001380)

Stipulation and Consent Order

NOW COMES the State of Vermont through Robert H. Backus, prosecutor for the Office of Professional Regulation, and the Respondent, in person and through her attorney, Al Overton and enter into the following stipulation and consent order.

Board Authority

1. The Board of Dental Examiners ("Board") has jurisdiction to investigate and adjudicate complaints of unprofessional conduct against dental assistants 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 ("RBDE"); and the Rules of the Office of Professional Regulation.

Facts

2. Respondent, Jenny T. D'Amico, of Essex Junction, Vermont, is registered as a dental assistant by the State of Vermont under registration number 013-0001380.
3. Respondent was hired by Essex Family Dental ("EFD") on or about January 18, 2000 as a dental assistant.
4. Respondent originally applied for registration as a certified dental assistant in January, 2001. However, the Respondent failed to submit all required documentation to the Board and the Respondent did not become registered at that time.
5. Respondent re-applied for registration as a certified dental assistant on September 29, 2003. Respondent was granted registration on November 21, 2003.
6. From approximately January 18, 2000 through November 21, 2003, Respondent performed professional responsibilities at EFD as a dental assistant.
7. During that time, Respondent was not registered with the State of Vermont, Board of Dental Examiners as required by RBDE, Rule 2.1.

STATE OF VERMONT



Prosecuting Attorney
Office of
Professional Regulation
Montpelier, VT 05602

Charges

8. The above acts, omissions and/or circumstances described above, constitute grounds for discipline because Respondent violated RBDE, Rule 2.1 (A person is not allowed to practice in Vermont as a dentist, dental hygienist or dental assistant unless licensed or registered by the Board);

UNDERSTANDINGS

9. 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.

10. Respondent has reviewed the entire document and agrees that it sets out the entire agreement of the parties, freely and voluntarily entered into.

11. 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 her right to a fair and impartial hearing should the Board reject this stipulation.

12. Respondent voluntarily waives her right to a contested hearing before the Board.

13. Respondent voluntarily waives her right to appeal the decision and order of the Board entered under this stipulation.

ORDER

A) The Board adopts the facts as set out above and based on them it finds that Respondent has committed unprofessional conduct pursuant to RBDE, Rule 2.1 (A person is not allowed to practice in Vermont as a dentist, dental hygienist or dental assistant unless licensed or registered by the Board).

B) The Respondent's license is warned.

C) A civil penalty of two hundred dollars (\$200.00) is imposed. Respondent has sixty days from entry of this order to pay this penalty.

STATE OF VERMONT



Prosecuting Attorney
Office of
Professional Regulation
Montpelier, VT 05602

Robert M. Backus
Prosecuting Attorney

Date: 3/9/07

Jenny T. D'Amico
Respondent

Date: 3-4-2004

Al Overton
Attorney for Respondent

Date: 4 Mar 04

APPROVED AND SO ORDERED:

Board of Dental Examiners

Dated: 3/10/04

by: C. R. Bauer
Chairperson

Date of entry: 3/12/04

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Prosecuting Attorney
Office of
Professional Regulation
Montpelier, VT 05602