

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

IN RE:)
RONALD DELL'AMORE) Docket No: DE15-050
Registration No.: 0160000779)

STIPULATION AND CONSENT ORDER

STIPULATION

NOW COMES the State of Vermont, through State Prosecuting Attorney, Gregg Meyer, and Respondent, Ronald Dell'Amore, 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.

Facts

2. Respondent Ronald Dell'Amore is presently registered as a dentist by the State of Vermont under registration number 0160000779.
3. From 2003 through 2008, Respondent had J.D. working for him as a dental assistant, whose responsibilities included taking patient x-rays. During that period, J.D. was not registered to work as a dental assistant as required by RBDE, Rule 2.1. Her registration had lapsed in 1999.

Charges

4. The acts, omissions and/or circumstances described above constitute grounds for discipline because Respondent violated:
- i. 3 VSA §129a(a)(6)(Delegating professional responsibilities to a person whom the licensed professional knows, or has reason to know, is not qualified by licensing credentials to perform them);
- ii. RBDE 3.3 (Responsibility for compliance with licensing requirements (a) each supervising dentist must inform each person hired to work in a dental office of the responsibilities and licensing and registration requirements imposed by these rules and to ensure that all employees are properly licensed. If there is no designated supervising dentist, every dentist in the practice shares this duty.

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Prosecuting Attorney
Office of
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9 Baldwin Street
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iii. 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).

Understandings

5. 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.
6. Respondent has read and reviewed this document fully and agrees that it contains the entire agreement between the parties.
7. 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.
8. 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.
9. 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 **WARNS** Respondent's license as a dentist.
- C. Respondent must pay a \$750 administrative penalty within 30 days of the date this **CONSENT ORDER** is signed by the Board Chair.
- 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 used for purposes of determining sanctions in any future disciplinary matter.

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AGREED TO:

Dated: 9/17/09

STATE OF VERMONT
SECRETARY OF STATE

By: Gregg Meyer
State Prosecuting Attorney

RESPONDENT
Ronald Dell'Amore

Dated: 9-11-09

By: Ronald Dell'Amore
Ronald Dell'Amore

APPROVED AS TO FORM:

By: Edward Fitzpatrick, Esq.
Attorney for Respondent

APPROVED AND SO ORDERED: VERMONT BOARD OF DENTAL EXAMINERS

Dated: 10-14-09

By: Stephanne
Chairperson

Date of Entry: 10/16/09

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