

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

IN RE:
JEFFREY J. DIXON
License No. 016-0002184

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Docket No: DE06-0908

STIPULATION AND CONSENT ORDER

STIPULATION

NOW COMES the State of Vermont, through State Prosecuting Attorney, Gregg Meyer, and Respondent, Jeffrey J. Dixon, 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. The Respondent, Jeffrey Dixon, is a licensed dentist in the State of Vermont holding license number 016-0002184. Respondent was first licensed on or about February 10, 2004, and his license is currently set to expire on or about September 30, 2009.
3. On or about August 4, 2008, the New Hampshire Board of Dental Examiners approved a "Settlement Agreement" entered into by the State of New Hampshire and Respondent.
4. The Settlement Agreement was based on 1) Respondent's failure to have staff certified in orthodontic and/or radiology before allowing them to provide patient care and/or take radiographs, and 2) Respondent's failure to consistently achieve negative sterilization test results (a negative test result indicates a successful sterilization).
5. The Settlement Agreement resulted in 1) a formal reprimand against Respondent's New Hampshire license; 2) the requirement that Respondent participate in twelve hours of continuing education; 3) the requirement that Respondent submit a list of staff member names, who assist Respondent with patient care and radiographs, together with their certifications/licenses, for a period of twelve months; and 4) an administrative penalty of \$4,000.

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Prosecuting Attorney
Office of
Professional Regulation
9 Baldwin Street
Montpelier, VT
05609-1107

Charges

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

- (i) 3 V.S.A. § 129a(a) (Whether or not the conduct at issue was committed within or outside the state, failing to comply with provisions of federal or state statutes or rules governing the practice of the profession shall constitute unprofessional conduct).

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 **CONDITIONS** Respondent's license as a dentist. The conditions will commence with the date of entry of this Stipulation and Consent Order. The conditions are as follows:
 - 1) Respondent must complete the requirements imposed by the New Hampshire Board of Dental Examiners, pursuant to the Settlement Agreement dated August 4, 2008.
 - 2) Respondent must provide the Board with documentation of such completion.

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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.

F. A violation of this order may be unprofessional conduct and grounds for further disciplinary action. Thus, a violation of the New Hampshire Settlement Agreement entered into on or about August 4, 2008, may be unprofessional conduct and grounds for further disciplinary action.

AGREED TO:

STATE OF VERMONT
SECRETARY OF STATE

Dated: January 27, 2009

By: Gregg Meyer
Gregg Meyer
State Prosecuting Attorney

RESPONDENT
Jeffrey J. Dixon

Dated: January 19th 2009

By: Jeffrey J. Dixon
Jeffrey J. Dixon

APPROVED AND SO ORDERED: VERMONT BOARD OF DENTAL EXAMINERS

Dated: 2/11/09

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

Date of Entry: 2/12/09

de.dixon.stip

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