

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

IN RE:)
STEVEN C. DUBOFF) Docket No. 2015-198
License No.)
016.0002240)

STIPULATION AND CONSENT ORDER

NOW COMES the State of Vermont, by and through its State Prosecuting Attorney S. Lauren Hibbert and Respondent, Steven C. Duboff.:

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 and applicants for licensure pursuant to 3 V.S.A. §§129, 129a and 814; 26 V.S.A. §§767 and 809; the Administrative Rules of the Board of Dental Examiners ("ARBDE"); and the Rules of the Office of Professional Regulation.

Stipulated Facts

2. Steven C. Duboff ("Respondent") of Rutland, VT, is licensed by the State of Vermont as a Dentist under license number 016.0002240. This license was originally issued on or about May 8, 2007 and is currently set to expire on or about September 30, 2017.
3. Respondent employed Liza Powers beginning in 2009 as a dental assistant. At all times relevant, Liza Powers was not licensed by the State of Vermont and therefore, was not qualified to provide dental assistant services. Ms. Powers became properly licensed in May of 2015.

Violations

4. The acts, omissions and/or circumstances described above, constitute grounds for discipline. Respondent has committed unprofessional conduct because Respondent violated:
 - a. 26 V.S.A. § 584(6)(Practicing a profession regulated under this chapter with a dentist, dental hygienist, or dental assistant who is not legally practicing within the state or aiding or abetting such practice.)
 - b. 3 V.S.A. 129(a)(3) (Failing to comply with provisions of federal or State statutes or rules governing the practice of the profession.) incorporating ARBDE 9.7(a) (It is the responsibility of each supervising dentist to inform

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each person hired to work of the responsibilities and licensing and registration requirements imposed by these rules and to ensure that all employees are properly licensed or registered.)

- c. 3 V.S.A. § 129a(6)(Delegating professional responsibilities to a person whom the licensed professional knows, or has reason to know, is not qualified by training, experience, education, or licensing credentials to perform them, or knowingly providing professional supervision or serving as a preceptor to a person who has not been licensed or registered as required by the laws of that person's profession.

Understandings

5. Respondent admits that the facts above are true and that the conditions below are necessary to protect the public.
6. The 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 the Respondent after the opportunity to consult with legal counsel. The Respondent has not been coerced by anyone into signing this Stipulation and Consent Order.
8. The 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. The Respondent is of sound mind and is not under the influence of drugs or alcohol at the time of signature of this stipulation and consent order.
10. Respondent agrees that the Order set forth below may be entered by the Board.

ORDER

Based on the Stipulation above, it is **ORDERED AND ADJUDGED** as follows:

- A. The Board of Dental Examiners hereby **WARNS** the Respondent's license. Respondent shall, within ninety days of this Order, pay an administrative penalty in the amount of one thousand (1000) dollars. Failure to pay the administrative penalty within the prescribed timeframe shall constitute a violation of this Order.
- B. Notwithstanding any provision above, the Respondent must continue to meet all Board requirements for maintaining a license, license renewal and license reinstatement.

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- C. 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).
- D. 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:

STATE OF VERMONT
SECRETARY OF STATE

Dated: 12/28/15

By: [Signature]
S. Lauren Hibbert
State Prosecuting Attorney

STEVEN C. DUBOFF
RESPONDENT

Dated: 12/21/2015

By: [Signature]
Steven C. Duboff

APPROVED AS TO FORM:

ATTORNEY FOR RESPONDENT

Dated: 12/21/2015

By: [Signature]
John J. Kennelly, Esq.

APPROVED AND SO ORDERED:

VERMONT BOARD OF DENTAL
EXAMINERS

Dated: 2/10/16

By: [Signature]
Chairperson

Date of Entry: 2/10/16

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