

**STATE OF VERMONT
SECRETARY OF STATE
BOARD OF DENTAL EXAMINERS**

IN RE:

GERALD B. LEIBER

License No. 016-0002175

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Docket No: DE14-1005

STIPULATION AND CONSENT ORDER

NOW COMES the State of Vermont and makes the following Charges against the Respondent, Gerald B. Leiber, D.M.D.:

Board Authority

The Vermont Board of Dental Examiners ("Board") has jurisdiction to investigate and adjudicate allegations of unprofessional conduct committed by dentists and dental surgeons 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 ("RBDE"); and the Rules of the Office of Professional Regulation.

Facts

1. Respondent, Gerald B. Leiber, is licensed as a dentist in the State of Vermont holding license number 016-0002175. This license was originally issued on or about August 29, 2003 and lapsed on September 30, 2005.
2. On his license renewal application dated August 30, 2005, Respondent answered "Yes" to the question "Has any state or federal licensing authority restricted, suspended, revoked or taken any other disciplinary action against a license, certificate, or registration that you hold or held in any profession or occupation?"
3. Upon information and belief, the Respondent was disciplined in the State of Massachusetts for failing to adequately document a patient's records, failing to remove pieces of broken files in a patient's tooth, and unprofessional behavior towards a patient. Respondent's license was conditioned for three (3) years pursuant to a Consent Agreement entered by the Massachusetts Board of Dentistry on or about April 21, 2004.

Charges

4. The acts, omissions and/or circumstances described above, constitute grounds for discipline because Respondent violated 3 V.S.A. §129a(a)(3), (Whether or not the conduct at issue was committed within or outside the state, . . . failure to comply with the provisions of state statutes or rules governing the practice of the profession).

STATE OF VERMONT



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

Understandings

5. 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.
6. Respondent has reviewed the entire document and agrees that it sets out the entire agreement of the parties, freely and voluntarily entered into.
7. 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 his right to a fair and impartial hearing should the Board reject this stipulation.
8. Respondent voluntarily waives his right to a contested hearing before the Board.
9. Respondent voluntarily waives his right to appeal the decision and order of the Board entered under this stipulation.

ORDER

The Board adopts the facts as set out above and based on them it finds that Respondent has committed unprofessional conduct as set out above.

10. The Respondent is **WARNED**.
11. The final disposition of the complaint against Respondent is public and the Commission may notify other states of its disposition as provided in 3 V.S.A. §129(a)(8).
12. Respondent understands that this Stipulation and Consent Order will remain part of her licensing file and may be used for purposes of determining sanctions in any future disciplinary matter.

Respectfully submitted this:


Robert H. Backus


Date: 6/12/06

State of Vermont
Secretary of State



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


Gerald Leiber
Respondent

Date: 06/06/06

APPROVED AND SO ORDERED:

Board of Dental Examiners

Dated: 6/14/06

by: Thomas R. Spauld
Chairperson

Date of entry: 6/14/06

STATE OF VERMONT



Prosecuting Attorney
Office of
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**STATE OF VERMONT
SECRETARY OF STATE
BOARD OF DENTAL EXAMINERS**

IN RE:)
GERALD B. LEIBER) **Docket No: DE14-1005**
License No. 016-0002175)

SPECIFICATION OF CHARGES

NOW COMES the State of Vermont and makes the following Charges against the Respondent, Gerald B. Leiber, D.M.D.:

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Facts

2) Respondent, Gerald B. Leiber, is licensed as a dentist in the State of Vermont holding license number 016-0002175. This license was originally issued on or about August 29, 2003 and lapsed on September 30, 2005.

3) On his license renewal application dated August 30, 2005, Respondent answered "Yes" to the question "Has any state or federal licensing authority restricted, suspended, revoked or taken any other disciplinary action against a license, certificate, or registration that you hold or held in any profession or occupation?"

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Charges

5) The acts, omissions and/or circumstances described above, constitute grounds for discipline because Respondent violated:

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

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ii. 3 V.S.A. §129a(b)(1) and (2) (Failure to practice competently by reason of any cause on a single occasion or on multiple occasions may constitute unprofessional conduct. Failure to practice competently includes: 1) performance of unsafe or unacceptable patient care and 2) failure to conform to the essential standards of acceptable and prevailing practice).

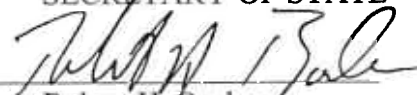
Relief Requested

WHEREFORE, the license of Gerald B. Leiber should be revoked, suspended, reprimanded, conditioned or otherwise disciplined.

DATED at Montpelier, Vermont this 3rd day of April 2006.

STATE OF VERMONT
SECRETARY OF STATE

By:



Robert H. Backus
State Prosecuting Attorney

de.leiber.soc

STATE OF VERMONT



Prosecuting Attorney
Office of
Professional Regulation
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