

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

IN RE:)
JONATHAN MASON) Docket No. 2021-1
License No. 016.0110862)

STIPULATION AND CONSENT ORDER

NOW COMES the State of Vermont, by and through State Prosecuting Attorney Traci Leibowitz, and the Respondent in this matter, Respondent, Jonathan Mason, DMD, who stipulate and agree as follows:

Board Authority

1. The Vermont State Board of Dental Examiners (the "Board") has jurisdiction to hear matters involving allegations of unprofessional conduct committed by dentists, dental hygienists, and dental assistants pursuant to 3 V.S.A. §§127, 129, 129a; 26 V.S.A. Chapter 12; the Administrative Rules of the Board of Dental Examiners ("ARBDE"); and the Rules of the Vermont Office of Professional Regulation ("OPR").

Stipulated Facts

2. Jonathan Mason, DMD ("Respondent") of Manchester Center, Vermont is licensed by the State of Vermont as a Dentist under license number 016.0110862. This license was originally issued April 15, 2015, and expires on September 30, 2021.
3. Respondent is also licensed to practice dentistry in Connecticut under license No. 009674. Respondent practiced in Connecticut from 2007 through 2015.
4. On April 25, 2018, Respondent was disciplined by the Connecticut State Dental Commission (the "CT Dental Commission") for improper placement of three implants and improper follow-up care for the same procedure. *See Attachment 1 (the "Connecticut Consent Order")*. The underlying conduct occurred in Connecticut between 2011 and 2012.
5. The conduct described in the Connecticut Consent Order would be considered unprofessional conduct in Vermont.
6. Respondent appropriately disclosed the out-of-state discipline to the Vermont Office of Professional Regulation on his 2019 license renewal application.
7. This filing does not allege Respondent has committed any acts of unprofessional conduct during the time he has been licensed to practice as a dentist in the state of Vermont.

8. Respondent's license to practice dentistry in the State of Connecticut is presently restricted.
9. Under the Connecticut Consent Order, the Respondent is not to practice dentistry in the state of Connecticut without first notifying Connecticut of his intent to resume practice in the state. Upon receipt of such notice, the CT Dental Commission may require Respondent to satisfy additional terms or conditions precedent prior to resuming practice in that state.
10. Respondent has since undertaken remedial measures, including over 100 hours of continuing education on implant dentistry, to correct the factors that led to the prior discipline. As of the date of this filing, Respondent is in full compliance with the Connecticut Consent Order.

Violation One: 3 V.S.A §129a(b)(1) Failure to practice competently by reason of any cause on a single occasion or on multiple occasions may constitute unprofessional conduct, whether actual injury to a client, patient, or customer has occurred. Failure to practice competently includes: (1) performance of unsafe or unacceptable patient or client care.

11. The State re-alleges and incorporates Paragraphs 2 through 10 above.
12. As a Dentist, Respondent has an obligation to provide safe and acceptable patient and client care.
13. Paragraphs 2 through 10 above and the attachments referenced therein show there is evidence that could prove that Respondent provided unsafe and unacceptable patient care to a patient in Connecticut during the time period of 2011 through 2012.
14. The act(s), omission(s), and/or circumstance(s) described above constitute grounds for discipline because Respondent has committed unprofessional conduct in violation of 3 V.S.A. §129a(b)(1).

Understandings

15. Respondent, while admitting no wrongdoing, has chosen not to contest this matter and agrees that for the purposes of this or any future proceedings before the Board, this Stipulation and Consent Order shall have the same effect as if proven and ordered after a full hearing on the merits.
16. Respondent understands that the Board of Dental Examiners must review and accept the terms of the Consent Order. If the Board rejects any portion, the entire Stipulation and Consent Order shall be null and void.

17. Respondent specifically waives any claims that any disclosures made to the full Board during its review of this agreement have prejudiced his rights to a fair and impartial hearing in future hearings if this agreement is not accepted by the Board.
18. Respondent has read and reviewed this entire document and agrees that it contains the entire agreement between the parties.
19. Respondent is not under the influence of any drugs or alcohol at the time he signs this Stipulation and Consent Order.
20. Respondent voluntarily enters into this agreement after the opportunity to consult with legal counsel and is not being coerced by anyone into signing this Stipulation and Consent Order.
21. Respondent voluntarily waives his right to a contested hearing before the Board of Dental Examiners and waives any right to appeal from this Stipulation and Consent Order.
22. Respondent agrees that the Order set forth below may be entered by the Board.

ORDER

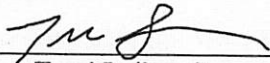
Based on the Stipulation above, it is **ORDERED AND ADJUDGED** as follows:

- A. **A MONETARY FINE IN THE AMOUNT OF TWO HUNDRED AND FIFTY DOLLARS (\$250.00)** is imposed on Respondent. This penalty shall be paid within ninety (90) days of the date of entry of this Order.
- B. Notwithstanding any provision above, the Respondent must continue to meet all requirements for maintaining a license, license renewal, and license reinstatement.
- 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: 06/02/2021

By: 
Traci Leibowitz
State Prosecuting Attorney

JONATHAN MASON, DMD
RESPONDENT

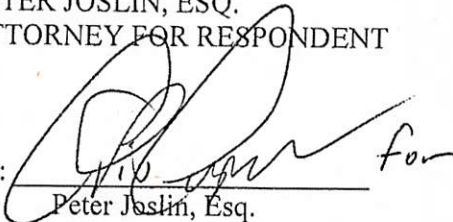
Dated: 6/2/21

By: 
Jonathan Mason, DMD

APPROVED AS TO FORM ONLY:

PETER JOSLIN, ESQ.
ATTORNEY FOR RESPONDENT

Dated: 6/2/21

By:  for
Peter Joslin, Esq.

APPROVED AND SO ORDERED:

VERMONT BOARD OF DENTAL
EXAMINERS

June 09, 2021
Dated: _____

E-SIGNED by William Koch
By: on 2021-06-09 10:27:36 EDT
Chairperson

Date of Entry: 6/9/2021