

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

IN RE:)
TRACY J. MYERS) **Docket No: APP-DE-07-1003**
Registration No.: 014-0001987)

Stipulation and Consent Order

NOW COMES the State of Vermont through Robert H. Backus, prosecutor for the Office of Professional Regulation, and the Respondent, in person and through her attorney, Al Overton and enter into the following stipulation and consent order.

Board Authority

1. The Board of Dental Examiners ("Board") has jurisdiction to investigate and adjudicate complaints of unprofessional conduct against dental assistants 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 ("RBDE"); and the Rules of the Office of Professional Regulation.

Facts

2. Respondent, Tracy J. Myers, of Essex Junction, Vermont, is registered as a dental assistant by the State of Vermont under registration number 014-0001987.
3. Respondent was hired by Essex Family Dental ("EFD") on or about April 26, 2000 as a dental assistant.
4. Respondent originally applied for registration as a traditional dental assistant on October 20, 2003. Respondent was granted registration without radiology privileges on November 6, 2003.
5. From approximately April 26, 2000 through November 6, 2003, Respondent performed professional responsibilities at EFD as a dental assistant, which included taking x-rays.
6. During that time, Respondent was not registered with the State of Vermont, Board of Dental Examiners as required by RBDE, Rule 2.1.

Charges

7. The above acts, omissions and/or circumstances described above, constitute grounds for discipline because Respondent violated RBDE, Rule 2.1 (A person is

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Prosecuting Attorney
Office of
Professional Regulation
Montpelier, VT 05602

not allowed to practice in Vermont as a dentist, dental hygienist or dental assistant unless licensed or registered by the Board);

UNDERSTANDINGS

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

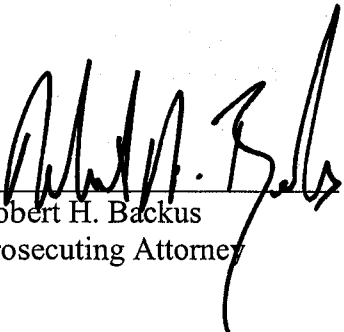
ORDER

- A) The Board adopts the facts as set out above and based on them it finds that Respondent has committed unprofessional conduct pursuant to RBDE, Rule 2.1 (A person is not allowed to practice in Vermont as a dentist, dental hygienist or dental assistant unless licensed or registered by the Board).
- B) The Respondent's license is warned.
- C) A civil penalty of two hundred dollars (\$200.00) is imposed. Respondent has sixty days from entry of this order to pay this penalty.

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Montpelier, VT 05602


Robert H. Backus
Prosecuting Attorney

Date: 3/9/07

Tracy J. Myers
Respondent

Date: 3/4/04

Al Overton
Attorney for Respondent

Date: 4 Mar 04

APPROVED AND SO ORDERED:

Board of Dental Examiners

Dated: 3/10/04

by: C. B. Brown
Chairperson

Date of entry: 3/12/04

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