

**STATE OF VERMONT
BOARD OF DENTAL EXAMINERS**

In re Mary E. Wicenski, DMD

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Docket No. DE10-1101

FINDINGS OF FACT, CONCLUSIONS OF LAW, AND ORDER

The Board of Dental Examiners (Board) held a hearing in the above-referenced matter on June 12, 2002, at the Office of the Secretary of State, Montpelier, Vermont. Board Hearing Panel Members Katherine Silloway, DDS (Chair), Charles Bowen, DMD, Gertrude Hodge, Linda Retchin, RDH, Randall Miller, DDS, and Thomas Opsahl, DMD participated in the decision. Assistant Attorney General George C. Haegle IV appeared for the State. Respondent Mary E. Wicenski, DMD, appeared without counsel.

Findings of Fact

1. Dr. Wicenski is a dentist licensed by the Board since March 1995. She holds license number 016-0001239.
2. On May 5, 1997, Dr. Wicenski was disciplined by the New Jersey State Board of Dentistry.
3. When Dr. Wicenski renewed her Vermont dental license on August 25, 1997, she failed to disclose the disciplinary action taken by the New Jersey Board on May 5.
4. She did not disclose the New Jersey Board's disciplinary action on her 1999 Vermont dental license renewal form, but because of the way the introductory paragraph to the license renewal questions was worded, she may not have been strictly obligated to make the disclosure in 1999.
5. She did disclose the New Jersey Board's disciplinary action on her 2001 Vermont dental license renewal form although, again, because of the wording on the renewal form, she may not have been strictly obligated to make the disclosure in 2001.
6. The New Hampshire Board of Dental Examiners also took disciplinary action against Dr. Wicenski in 2001, based upon her failure to disclose the New Jersey Board's disciplinary action to the New Hampshire Board.
7. Dr. Wicenski shows remorse for her failure to disclose the New Jersey Board's disciplinary action. She also admits that she made a foolish mistake when she failed to keep a copy of the New Jersey Board's disciplinary order and later completed license renewal forms for

Vermont and New Hampshire without being able to review the New Jersey Board's order.

8. Dr. Wicenski currently practices dentistry in New London, New Hampshire. She does not need to take remedial courses or continuing dental education courses. She does not pose a threat to public health and safety. Suspending or revoking her license would not serve any public protection function.

Conclusions of Law

Although public protection does not require suspension or revocation of Dr. Wicenski's license, her failure to disclose prior disciplinary action to the Board does merit disciplinary action. A reprimand will remain a permanent part of Dr. Wicenski's record and may be shared with other licensing boards and the public.

In the future, Dr. Wicenski must be very careful to complete her license renewal forms accurately and truthfully. She must read the forms carefully and must be sure that she understands them before she completes them. She must retain copies of this order and orders issued by licensing boards in other states. For example, the reprimand imposed by this order must be reported on her next Vermont license renewal application and may need to be reported on license renewal forms for boards in other states.

Again, she must review the license renewal reporting requirements carefully for each state where she is licensed and must comply with them fully when completing the necessary forms. Wording on license renewal forms may change from year to year, and reporting requirements may also change, depending upon the wording.

Order

On the basis of the Findings of Fact and Conclusions of Law, IT IS HEREBY ORDERED by the Board of Dental Examiners of the State of Vermont that:

1. Respondent's license as a dentist is hereby REPRIMANDED.
2. Pursuant to 3 V.S.A. § 129(a)(7) and 131(c)(2)(C), this document is a public record and may be provided to other licensing authorities.
3. This order takes effect as of the date of entry shown below.

Appeal Rights

This is a final administrative determination. A party (the State or Respondent) may appeal by filing a written notice of appeal with the Director of the Office of Professional Regulation, Office of the Secretary of State, within 30 days of the effective date (the date of entry

shown below) of this order. The filing of a notice of appeal does not automatically stay the Board's order.

Dated: 7/10/02

BOARD OF DENTAL EXAMINERS

By: Katherine C. Sill DDS
Katherine Silloway, DDS
Chair

Date of entry: 7/10/02

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