

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

IN RE:)
JOSEPH R. YUDIN, D.D.S.) **Docket No: DE-23-0504**
License No.: 016-0000999)

STIPULATION AND CONSENT ORDER

STIPULATION

NOW COMES the State of Vermont, through State Prosecuting Attorney, Robert H. Backus, and Respondent, Joseph R. Yudin, D.D.S., who stipulate and agree as follows:

Board Authority

1. The Board of Dental Examiners ("Board") has jurisdiction to investigate and adjudicate complaints of unprofessional conduct against dentists 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, Joseph R. Yudin, is licensed as a dentist by the State of Vermont under license number 016-0000999.
3. Respondent maintains a dental practice at Horizon Dental Associates ("HDA") in Brattleboro, Vermont.
4. From approximately November 16, 1998 through May 5, 2004, Respondent delegated professional responsibilities to Sharon Ann Hunt, a dental assistant at HDA. During that time, Sharon Ann Hunt was not qualified by registration credentials to perform professional tasks. Ms. Hunt was not registered with the State of Vermont, Board of Dental Examiners as required by RBDE, Rule 2.1.
5. Sharon Ann Hunt originally applied for registration as a traditional dental assistant on April 22, 2004. Ms. Hunt was granted registration on May 5, 2004. Respondent knew or should have known that Ms. Hunt was not registered prior to May 5, 2004.

Charges

STATE OF VERMONT



Prosecuting Attorney
Office of
Professional Regulation
Montpelier, VT 05602

6. The acts, omissions and/or circumstances described above, constitute grounds for discipline because Respondent has engaged in unprofessional conduct pursuant to:

- i. 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); and
- ii. 3 V.S.A. §129a(a)(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); and
- iii. 3 V.S.A. §129a(a)(3) (Failing to comply with provisions of federal or state statutes or rules governing the practice of the profession).

Understandings

7. The parties understand that the terms of this Stipulation and Consent Order are contingent upon review and acceptance by the Board and that if the Board rejects any portion the entire Stipulation and Consent Order shall be null and void.

8. The Respondent has read and reviewed this document fully and agrees that it contains the entire agreement between the parties.

9. 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.

10. The Respondent is voluntarily waiving his right to a contested hearing before the Board.

11. Respondent agrees that the State has sufficient evidence for the Board to find that Respondent has engaged in unprofessional conduct and that the Order set forth below may be entered by the Board.

WHEREFORE, the parties agree that the following constitutes a reasonable resolution given the above violations:

CONSENT ORDER

Based upon the above stipulation, it is **ADJUDGED** as follows:

A. The acts, omissions and/or circumstances described above, constitute grounds for discipline because Respondent has engaged in unprofessional conduct pursuant to:

STATE OF VERMONT



Prosecuting Attorney
Office of
Professional Regulation
Montpelier, VT 05602

- i. 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); and
- ii. 3 V.S.A. §129a(a)(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); and
- iii. 3 V.S.A. §129a(a)(3) (Failing to comply with provisions of federal or state statutes or rules governing the practice of the profession).

B. Based on the above stipulation and findings of this Board, it is **ORDERED** as follows:

The Respondent shall pay a civil penalty of one thousand dollars (\$1,000.00). This fine shall be paid within ninety (90) days of the date of entry of this Order.

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 the 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: July 8, 2007

By: [Signature]
Robert H. Backus
State Prosecuting Attorney

JOSEPH R. YUDIN
RESPONDENT

Dated: 7/6/07

By: [Signature]
Joseph R. Yudin

APPROVED AND SO ORDERED:

VERMONT BOARD OF DENTAL
EXAMINERS

STATE OF VERMONT



Prosecuting Attorney
Office of
Professional Regulation
Montpelier, VT 05602

Dated: _____

By: C. B. Bower
Chairperson

Date of Entry: 7/19/04

de.yudin.stip

STATE OF VERMONT



Prosecuting Attorney
Office of
Professional Regulation
Montpelier, VT 05602

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

IN RE:)
JOSEPH R. YUDIN, D.D.S.) **Docket No: DE-23-0504**
License No.: 016-0000999)

SPECIFICATION OF CHARGES

NOW COMES the State of Vermont and makes the following Charges against the Respondent, Joseph R. Yudin, D.D.S.:

Board Authority

1. The Board of Dental Examiners ("Board") has jurisdiction to investigate and adjudicate complaints of unprofessional conduct against dentists 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, Joseph R. Yudin, is licensed as a dentist by the State of Vermont under license number 016-0000999.

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5. Sharon Ann Hunt originally applied for registration as a traditional dental assistant on April 22, 2004. Ms. Hunt was granted registration on May 5, 2004. Respondent knew or should have known that Ms. Hunt was not registered prior to May 5, 2004.

Charges

6. The acts, omissions and/or circumstances described above, constitute grounds for discipline because Respondent has engaged in unprofessional conduct pursuant to:

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- i. 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); and
- ii. 3 V.S.A. §129a(a)(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); and
- iii. 3 V.S.A. §129a(a)(3) (Failing to comply with provisions of federal or state statutes or rules governing the practice of the profession).

Relief Requested

WHEREFORE, the Respondent's license should be revoked, suspended, reprimanded, conditioned or otherwise disciplined.

Dated at Montpelier, Vermont this 4th day of June 2004.

STATE OF VERMONT
SECRETARY OF STATE

By: 

Robert H. Backus
State Prosecuting Attorney

de.yudin.soc

STATE OF VERMONT



Prosecuting Attorney
Office of
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