

# Nevada State Board of Dental Examiners

Tony Guillen, D.D.S.  
President



William G. Pappas, D.D.S.  
Secretary-Treasurer

6010 S. Rainbow Boulevard, Building A, Suite 1 • Las Vegas, Nevada 89118 • (702) 486-7044 • (800) DDS-EXAM • Fax (702) 486-7046

October 24, 2007

Lorne J Maikiewich, Director  
Legislative Counsel Bureau  
401 S. Carson Street  
Carson City, NV 89701-9800

Dear Director of the Legislative Counsel:

Pursuant to Nevada Revised Statute (NRS) 622.100, enclosed is our disciplinary report for the Nevada State Board of Dental Examiners. This report is for the quarter ending October 20, 2007. I have listed the disciplinary action against the following licensees below. Enclosed for your convenience are copies of the stipulation agreements/decisions.

<u>License #</u>	<u>Name</u>	<u>Disciplinary Date</u>
S3-119	Thien Truong, DDS	07/26/2007
0880	William Dickerson, DDS	08/17/2007
3359	Anthony LaMancusa, DMD	08/17/2007

If you have any questions regarding this matter, please feel free to contact me at (702) 486-7044, ext. 23.

Sincerely

A handwritten signature in cursive script, reading "Debra Shaffer".

Debra Shaffer, Deputy Executive Director  
Nevada State Board of Dental Examiners

Cc: John A. Hunt, Esq., Board Legal Counsel  
Department of Health & Human Services  
File

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

STATE OF NEVADA  
BEFORE THE BOARD OF DENTAL EXAMINERS OF NEVADA

NEVADA STATE BOARD  
OF DENTAL EXAMINERS,

)

CASE NO.: 07- 1445

Complainant,

)

STIPULATION

vs.

THIEN D. TRUONG, D.D.S

)

Respondent

IT IS HEREBY STIPULATED AND AGREED by and between THIEN D. TRUONG, D.D.S. (Hereinafter "Respondent"), by and through his counsel, JOHN R. BAILEY, ESQ., of the law firm of BAILEY MERRILL, and THE NEVADA STATE BOARD OF DENTAL EXAMINERS (hereinafter "Board") by and through Disciplinary Screening Officer, RICK B. THIRIOT, D.D.S., and through its counsel JOHN A. HUNT, ESQ., of the law firm of WINNER, HUNT & CARSON, P.C., as follows:

On October 10, 2006, Leonardo Carlos Bordador, D.D.S. filed an application for a specialty license for orthodontia pursuant to NRS 631.255 Prior to the Board considering Dr. Bordador's application, anonymous information was received indicating Dr. Bordador had been practicing dentistry in the State of Nevada without a license.

2 On or about June 2006, Respondent, a dentist licensed to practice dentistry in the State of Nevada, and Dr. Bordador purchased the dental practice of Mark Jesse Saylor, D.D.S., also a dentist licensed to practice dentistry in the State of Nevada

3 On June 7, 2006, Respondent, a dentist licensed to practice dentistry in the State of Nevada, and Dr. Bordador filed with the Nevada Secretary of State documentation to establish BNT Orthodontics, Limited Liability Company (hereinafter "BNT Orthodontics"). The purpose of BNT Orthodontics was to provide orthodontic and dental treatments to the citizens of the State of Nevada.

22

  
JRB

4 Since June 2006, pursuant to the operating agreement set forth in the BNT  
2 Orthodontics, Respondent and Dr. Bordador have on more than three (3) occasions rendered dental  
3 treatments to the citizens of the State of Nevada.

4 5. On or about January 15, 2007, the Board was contacted by an anonymous patient who  
5 made inquiry as to whether or not Dr. Bordador was licensed in the State of Nevada. The patient was  
6 informed Dr. Bordador was not licensed in the State of Nevada. Thereafter, Board Counsel, John  
7 A. Hunt, Esq., and the Board's Deputy Executive Director, Debra Shaffer, each separately contacted  
8 Respondent and Dr. Bordador by telephone to inform them that Dr. Bordador was practicing  
9 dentistry in the State of Nevada without a license and Respondent was guilty of aiding and abetting  
10 Dr. Bordador in the illegal practice dentistry in the State of Nevada pursuant to NRS 631.395 (9),  
11 (10) & (11) and NRS 631.3465(3)

12 6. On January 19, 2007, the Board's Counsel received correspondence from Dennis L.  
13 Kennedy, Esq. on behalf of the Respondent and Mr. Bordador agreeing to the following:

14 "Dear Mr. Hunt

15 This letter will confirm my representation to you in our conversation this  
16 afternoon regarding Drs. Truong and Bordador.

17 Dr. Bordador has withdrawn his application by letter to Dr. William Pappas.  
A copy of the letter is attached.

18 2 Pending final resolution of the issues arising from the acts and relationships  
19 of Drs. Bordador and Truong:

20 a. Dr. Bordador shall not be present on the premises of the practice -  
21 1350 South Decatur Boulevard, or any other location. He may go  
there after business hours to retrieve personal belongings.

22 b. The practice shall be conducted solely by Dr. Truong, and Dr.  
Bordador's name shall be removed from the door. No reference shall  
23 be made to Dr. Bordador in any communication. If an inquiry is  
made regarding Dr. Bordador, the response shall be that he is no  
24 longer affiliated with the practice.

25 c. Dr. Truong shall, with reasonable speed, cause the practice of  
disassociate itself from Dr. Bordador, including business, licensing  
26 and financial matters.

27 3 We will be in touch with you next week to begin work toward final  
28 resolution of this matter on behalf of both doctors.

17.  
TDT

JRB

1 Thank you for your assistance."

2 7. On February 7, 2007, the Board notified Respondent the Board had authorized an  
3 investigation to determine whether Respondent had violated either NRS 631.3465 (2) and (3) and/or  
4 NRS 631.395.

5 8 Respondent and his attorney have been made aware that NRS 631.3465 states:

6  
7 The following acts, among others, constitute unprofessional conduct:

8 2 Associating with or lending his name to any person engaged in the illegal  
9 practice of dentistry or associating with any person, firm or corporation  
10 holding himself or itself out in any manner contrary to the provisions of this  
11 chapter.

12 3 Associating with or being employed by a person not licensed pursuant to this  
13 chapter if that person exercises control over the services offered by the  
14 dentist, owns all or part of the dentist's practice or receives or shares the fees  
15 received by the dentist. The provisions of this subsection do not apply to a  
16 dentist who associates with or is employed by a person who owns or controls  
17 a dental practice pursuant to NRS 631.385.

18 Further, NRS 631.395 states:

19 "A person is guilty of the illegal practice of dentistry or dental  
20 hygiene who:

21 9. Except as otherwise provided in NRS 629.091, practices  
22 dentistry or dental hygiene in this state without a license;

23 10. Except as otherwise provided in NRS 631.385, owns or controls a dental  
24 practice, shares in the fees received by a dentist or controls or attempts to control the  
25 services offered by a dentist if the person is not himself licensed pursuant to this  
26 chapter;

27 11 Aids or abets another in violating any of the provisions of this chapter

28 9 A Stipulation was presented to the Board, pursuant to Agenda Item 3(a)(5), at  
a properly noticed meeting on June 21, 2007, after consideration, the Stipulation was rejected.

10 Based upon the limited investigation conducted to date, Disciplinary Screening  
Officer, Rick B. Thiriot, D.D.S., applying the administrative burden of proof of substantial evidence  
as set forth in *State, Emp. Security v. Hilton Hotels*, 102 Nev. 606, 608, 729 P.2d 497, 498 (1986),

7.7.  
TDT

JRB



1 and see *Minton v. Board of Medical Examiners*, 110 Nev. 1060, 881 P.2d 1339 (1994), see also NRS  
2 233B.135(3)(e) & NRS 631.350(1), but not for any other purpose, finds there is substantial evidence  
3 Respondent violated NRS 631.3465(2)(3) and NRS 631.395(11) when Respondent became a  
4 member of a limited liability company, commonly known as BNT Orthodontics, LLC, to conduct  
5 dentistry in the State of Nevada knowing Respondent's fifty percent (50%) partner, Leonardo Carlos  
6 Bordador, D.D.S was not licensed to practice dentistry in the State of Nevada.

7 1 Applying the administrative burden of proof of substantial evidence as set forth in  
8 *State, Emp. Security v. Hilton Hotels*, 102 Nev. 606, 608, 729 P.2d 497, 498 (1986); and see *Minton*  
9 *v. Board of Medical Examiners*, 110 Nev. 1060, 881 P.2d 1339 (1994), see also NRS 233B.135(3)(e)  
10 & NRS 631.350(1), Respondent admits that by becoming a member in the limited liability company  
11 commonly known as BNT Orthodontics, LLC to conduct dentistry in the State of Nevada, wherein  
12 member, Leonardo Carlos Bordador, D.D.S. was not licensed to practice dentistry in the State of  
13 Nevada, he violated of NRS 631.3465(2)(3) and NRS 631.395(11). In consideration for entering into  
14 this Stipulation, the Board waives any right to seek any penalties contained in NRS 631.400 for any  
15 alleged conduct up until the adoption of this Stipulation by the Board

16 12. Based upon the admission contained in paragraph 11, the parties have agreed to  
17 resolve the pending disciplinary action pursuant to the following terms and conditions:

- 18 a. Pursuant to NRS 631.350(1)(d)(h), Respondent shall be placed on probation  
19 for a minimum period of two (2) years. Respondent further agrees the period  
20 of probation shall continue in the event Respondent can not complete the  
21 community service set forth in paragraph 12(e) within two (2) years of the  
22 adoption of this Stipulation. Upon completion of the community service  
23 pursuant to the terms and conditions set forth in paragraph 12(e) and serving  
24 a minimum of two (2) years probation, the Executive Director without any  
25 further action of the Board Shall report Respondent's license to practice  
26 dentistry in the State of Nevada as being in good standing. During the  
27 probationary period, Respondent shall allow either the Executive Director of  
28 the Board and/or the agent appointed by the Executive Director of the Board  
to inspect Respondent's records without notice during normal business hours  
to insure compliance of this Stipulation. In the event the Executive Director  
receives substantial evidence Respondent has violated either NRS  
631.3465(2) or NRS 631.3465(3) or NRS 631.395(11), Respondent agrees  
his license to practice dentistry in the State of Nevada shall automatically be  
suspended without any further action of the Board other than the issuance of  
an Order by the Executive Director. Respondent agrees to waive any right to

2.7

TDT

JRB

1 seek injunctive relief from any Federal or State of Nevada District Court to  
2 prevent the automatic suspension of Respondent's license to practice  
3 dentistry in the State of Nevada Due to Respondent violations of paragraph  
4 12(a). Thereafter Respondent may petition the Board to reinstate his license  
5 to practice dentistry in the State of Nevada. Respondent shall also be  
6 responsible for any costs or attorney's fees incurred in the event the Board  
7 has to seek injunctive relief to prevent Respondent from practicing dentistry  
8 during the period Respondent's license is automatically suspended. In the  
9 event Respondent does not actively practice dentistry in the State of Nevada,  
10 the probationary period shall be tolled for the period of inactive practice.

11 b. Respondent agrees to reimburse the Board for costs of the investigation and  
12 to monitor this Stipulation in the amount of Five Thousand (\$5,000.00)  
13 Dollars consisting of four (4) payments in the amount of One Thousand Two  
14 Hundred Fifty (\$1,250.00) Dollars over a period of one (1) year. The first  
15 payment shall be deposited with the Board upon execution of this Stipulation.  
16 If the Board does not adopt this Stipulation the amount of One Thousand  
17 Hundred Fifty (\$1,250.00) Dollars will be returned in full to Respondent.  
18 The remaining three (3) payments shall be due to the Board on November 1,  
19 2007, March 1, 2008, and June 1, 2008. All checks shall be  
20 made payable to the Nevada State Board of Dental Examiners and mailed to  
21 the Board office with a post-marked date no later than the first of the month  
22 when each payment is due. This amount shall not be reported to the National  
23 Practitioners Data Bank.

24 c. Pursuant to NRS 631.350(1)(c), Respondent shall pay a fine to the Board in  
25 the amount of Five Thousand (\$5,000.00) Dollars consisting of four (4)  
26 payments in the amount of One Thousand Two Hundred Fifty (\$1,250.00)  
27 Dollars over a period of one (1) year. The first payment shall be deposited  
28 with the Board upon execution of this Stipulation. If the Board does not  
adopt this Stipulation the amount of One Thousand Two Hundred Fifty  
(\$1,250.00) Dollars will be returned in full to Respondent. The remaining  
three (3) payments shall be due to the Board on November 1, 2007, March 1,  
2008, and June 1, 2008. All checks shall be made payable to the Nevada State  
Board of Dental Examiners and mailed to the Board office with a post-  
marked date no later than the first of the month when each payment is due.  
This amount shall not be reported to the National Practitioners Data Bank.

29 d. Pursuant to NRS 631.350(1)(j), Respondent shall retake the jurisprudence test  
30 as required by NRS 631.240(2) on the contents and interpretation of NRS 631  
31 and the regulations of the Board. Respondent shall have ninety (90) days,  
32 commencing upon adoption of this Stipulation, to complete the re-  
33 examination. The jurisprudence examination is administered on the first  
34 Monday of each month at 10:00 a.m. and 2:00 p.m. at the Board's office.  
35 Respondent shall contact the Board to schedule a time to submit to the re-  
36 examination. In the event Respondent fails to successfully complete the re-  
37 examination within ninety (90) days of adoption of this Stipulation,  
38 Respondent agrees his license to practice dentistry in the State of Nevada  
shall be automatically suspended without any further action of the Board  
other than issuance of an order by the Executive Director. Upon successful  
completion of the re-examination, Respondent's license to practice dentistry  
in the State of Nevada will be automatically reinstated, assuming all other  
provisions of this Stipulation are in compliance. Respondent agrees to waive

7-7  
TDT

  
JRB

any right to seek injunctive relief from any Federal or State of Nevada District Court to prevent the automatic suspension of Respondent's license to practice dentistry in the State of Nevada due to Respondent's failure to comply with Paragraph 12(d). Respondent shall also be responsible for any costs or attorney's fees incurred in the event the Board seeks injunctive relief to prevent Respondent from practicing dentistry during the period Respondent's license is automatically suspended.

- e. Pursuant to NRS 631.350(1)(i), Respondent agrees to complete ten (10) orthodontic cases for underprivileged teenagers who have sought treatment at the Huntridge Teen Clinic. The ten (10) orthodontic cases will be assigned by the Executive Director based upon a list of underprivileged teenagers submitted by the Huntridge Teen Clinic to the Executive Director. If an assigned patient either voluntarily terminates treatment prior to completion or an assigned patient fails to seek treatment for a period of one hundred and twenty (120) days, Respondent shall notify the Executive Director in writing of either event and thereafter the Executive Director shall immediately assign a substitute patient to Respondent. However the Executive Director shall not substitute a patient subsequent to the two (2) year anniversary of adoption of this stipulation. Subject to circumstances beyond Respondent's control, the community service must be completed within three (3) years of the date of the adoption of this Stipulation by the Board. In the event Respondent does not complete the ten (10) orthodontic cases within three (3) years of adoption of this Stipulation, Respondent may request in writing from the Executive Director an extension of time to complete the ten (10) orthodontic cases within sixty (60) days of the three year anniversary of the adoption of this Stipulation. The Executive Director, shall grant such a request unless the Executive Director issues a written findings that Respondent is acting in bad faith. Further if such a findings are issued Respondent shall be entitled to a hearing within thirty (30) days of the issuance of such findings to determine whether Respondent is acting in bad faith which would justify the Board issuing an order suspending Respondent's license to practice dentistry in Nevada. Respondent agrees the period of probation shall continue until all ten (10) orthodontic cases are completed. Respondent further agrees during the probationary period commencing six (6) months after adoption of this Stipulation and every six (6) months thereafter until such time as Respondent completes ten (10) orthodontic cases, Respondent shall submit a written report to the Executive Director which contains the following information:

Name, address and telephone number of each person receiving treatment;

ii Date treatment began and anticipated completion date

iii Last time the patient was treated

In the event Respondent fails to submit any of the six (6) month reports, Respondent agrees his license to practice dentistry in the State of Nevada shall automatically be suspended without any further action of the Board other than the issuance of an Order by the Executive Director. Respondent agrees to waive any right to seek injunctive relief from any Federal or State of Nevada District Court to prevent the automatic suspension of Respondent's license to practice dentistry in the State of Nevada due to

7:1

JRB  
JRB

Respondent's failure to comply with Paragraph 12(e). Respondent shall also be responsible for any costs or attorney's fees incurred in the event the Board seeks injunctive relief to prevent Respondent from practicing dentistry during the period Respondent's license is automatically suspended.

f. Respondent agrees as a condition precedent prior to the Board considering adoption of this Stipulation, Respondent shall submit written proof to the Executive Director that Respondent has disassociated himself from Dr. Leonardo Carlos Bordador and that Dr. Leonardo Carlos Bordador no longer has any interest in the entity known as the BNT Orthodontics, a Limited Liability Company.

g. Respondent agrees to provide the Board with a list of all patients and insurance companies who gave compensation to Respondent for the treatments rendered by Dr. Bordador from June, 2006 to January 19, 2007.

h. Respondent agrees to reimburse those patients and insurance companies who in writing request reimbursement for treatment rendered by Dr. Bordador from June 2006 to January 19, 2007. However, Respondent is entitled to reach whatever alternative agreements with patients and insurance companies for treatment rendered by Dr. Bordador from June, 2006 to January 19, 2007.

In the event Respondent fails to deliver any of the payments required pursuant to Paragraph 12(b), or 12(c) Respondent agrees his license to practice dentistry in the State of Nevada shall automatically be suspended without any further action of the Board other than issuance of an order by the Executive Director. Failure to deliver payment would include any checks returned for insufficient funds. Respondent agrees to the payment of twenty-five dollars (\$25.00) for each day Respondent fails to deliver any of the payments required by Paragraph(s) 12(b), or 12(c). Respondent may cure any default regarding the payments set forth in Paragraph 12(b), or 12(c), by delivering to the Board's Executive Director the total amount in default, plus the twenty-five dollar (\$25.00) per day assessment. Upon receipt of payment in full of any amount in default, plus the twenty-five dollar (\$25.00) per day assessment, the Executive Director shall without any further action of the Board reinstate Respondent's license to practice dentistry in the State of Nevada, assuming there are no other violations of any of the provisions contained in this Stipulation. Respondent agrees to waive any right to seek injunctive relief from either the Nevada Federal District Court or the Nevada State District Court to reinstate his license prior to curing any default on the amounts due and owing. Respondent shall also be responsible for any costs or attorney's fees incurred in the event the Board has to seek injunctive relief to prevent Respondent from practicing dentistry during the period

j. In the event Respondent fails to cure any default in payment within forty-five (45) days of the default, Respondent agrees the amount may be reduced to judgment.

k. Respondent waives any right to have the amounts owed pursuant Paragraphs 12(b), or 12(c), discharged in bankruptcy.

7.7

  
JRB

## CONSENT

them the ent  
 Responden by en th pula he al bl  
 its out N N C N 13 and NAC 13  
 Responden press es ight ha len as Boar dec  
 whether or adopt thi pu the th proceed to fu Board

espo the Bo agr any and tatio made  
 co ered by the Board ng a: properh ice pen det hether adopt or  
 fee an ed se ther of star or  
 loc n be use tem Bo or ial whether or  
 judi sough ther the or ederal District urt(

esponden has ved the ipu ey OINR B Q  
ined ry ed pu to R as  
espond kno dge he co th lati untari wi  
coercion or nress and the ise hi free

th out has been made any age lovee ounsel or any pe son affliated the

20 Nevada State Board of Dental Examiners

agreed between the Board and the parent and the proposed modification, with Board approval.

Responde agree in the Roar adopt her res  
any and to ind ial otherwise nge the sal of the

26 persons contained the population.

22 Respond and the Board agree that their party shall be deemed the draft of the

2

TDT



ge of



1 Stipulation and, in the event this Stipulation is construed by a court of law or equity, such court shall  
2 not construe this Stipulation or any provision hereof against either party as the drafter of the  
3 Stipulation. The parties hereby acknowledge that both parties have contributed substantially and  
4 materially to the preparation of this Stipulation. The parties acknowledge and agree that this  
5 Stipulation is the joint effort of each of the parties and that in the event of any dispute regarding the  
6 construction of any terms herein, it shall not be construed strictly in favor or against either party.

7 23. Respondent specifically acknowledges by his signature herein and his initials at the  
8 bottom of each page of this Stipulation, he has read and understands its terms and acknowledges that  
9 he has signed and initialed of his own free will and without undue influence, coercion, duress, or  
10 intimidation.

11 24 Respondent acknowledges in the event the Board adopts this Stipulation, this  
12 Stipulation may be considered in any future Board proceeding(s) or judicial review, whether such  
13 judicial review is preformed by either the State or Federal District Court(s)

14 25 This Stipulation will be considered by the Board in an open meeting. It is understood  
15 and stipulated the Board is free to accept or reject the Stipulation and, if the Stipulation is rejected  
16 by the Board, further disciplinary action may be implemented. This Stipulation will only become  
17 effective when the Board has approved the same in an open meeting. Should the Board adopt this  
18 Stipulation, such adoption shall be considered a final disposition of a contested case and will become  
19 a public record and shall be reported to the National Practitioners Data Bank

20 DATED this 24th day of July, 2007.

21

22

23

  
THIEN D. TRUONG, D.D.S.  
Respondent

24

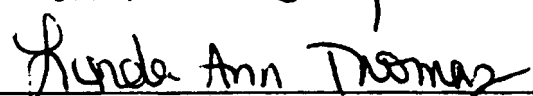
25

26

27

28

SUBSCRIBED and SWORN to before me  
this 24th day of July, 2007.

  
NOTARY PUBLIC



T.T.  
TDT

JRB  
JRB

1 APPROVED AS TO FORM & CONTENT

2  
3  
4 JOHN A. HUNT, ESQUIRE  
Winner, Hunt & Carson, P.C.  
Board Counsel

APPROVED AS TO FORM & CONTENT

RICK B. THIRLOT, D.D.S.  
Disciplinary Screening Officer/Informal  
Hearing Officer

6  
7  
8 APPROVED AS TO FORM & CONTENT

9  
10 JOHN R. BAILEY, ESQ.  
Attorney for Respondent

11  
12 The foregoing Stipulation was approved/disapproved by a vote of the Nevada State Board  
13 of Dental Examiners at a properly noticed meeting.

14  
15 DATED this 26 day of July, 2007.

16  
17 NEVADA STATE BOARD OF DENTAL EXAMINERS

18  
19 TONY GUILLEN, D.D.S.  
President

20 S:\Eileen.H\wp51\DENTAL\TRUONG-THIEN\Stipulation Final-02.wpd

21  
22  
23  
24  
25  
26  
27  
28 7.7.

TDT

JRB



FROM : Kent M. Johnson DDS

FAX NO. :

Aug. 15 2007 09:43AM P1

## STATE OF NEVADA

## BEFORE THE BOARD OF DENTAL EXAMINERS OF NEVADA

NEVADA STATE BOARD  
OF DENTAL EXAMINERS,

Complainant,

vs.

WILLIAM DICKERSON D.D.S.

Respondent.

CASE NO.: 07-1413

STIPULATION

IT IS HEREBY STIPULATED AND AGREED by and between WILLIAM DICKERSON, D.D.S. (hereinafter "Respondent"), by and through his counsel of record, ROBERT P. DICKERSON, ESQ., and THE NEVADA STATE BOARD OF DENTAL EXAMINERS (hereinafter "Board"), by and through Disciplinary Screening Officer, BRADLEY S. ROBERTS, D.D.S., and the Board's counsel, JOHN A. HUNT, ESQ., of the law firm of WINNER, HUNT & CARSON, P.C. as follows:

1. On September 14, 2005, the Board notified Respondent of a verified complaint received from Ms. Lauren MacArthur. On December 9, 2005, Respondent filed an answer to the complaint.

2. On December 12, 2005, the Board notified Respondent of a verified complaint received from Craig Janssen, DDS. On January 9, 2006, Respondent filed an answer to the complaint.

3. On June 12, 2006, the Board notified Respondent of a verified complaint received from Robert Brugler, DDS. On June 20, 2006, Respondent filed an answer to the complaint.

4. On May 11, 2007, the Board notified Respondent of a verified complaint received from Roberta Blowers, D.D.S.. On June 12, 2007, Respondent filed an answer to the complaint.

  
WGD  
RPD

N.S.B.D.E.  
AUG 24 2007

1           5.       In addition to the MacArthur, Janssen, Brugler, and Blowers complaints referenced  
2 in paragraphs 1, 2, 3, and 4 immediately above, this Stipulation also is intended to resolve all issues  
3 raised by earlier verified complaints the Board has received from Charles Hill, Michelle Bliss, and  
4 Dena Coscarart, each of which Respondent filed an answer.

5           6.       Based upon the limited investigation conducted to date, Disciplinary Screening  
6 Officer, Bradley S. Roberts, D.D.S., applying the administrative burden of proof of substantial  
7 evidence as set forth in *State, Emp. Security v. Hilton Hotels*, 102 Nev. 606, 608, 729 P.2d 497, 498  
8 (1986); and see *Minton v. Board of Medical Examiners*, 110 Nev. 1060, 881 P.2d 1339 (1994), see  
9 also NRS 233B.135(3)(e) & NRS 631.350(1), but not for any other purpose, finds there is substantial  
10 evidence that Respondent's record keeping regarding patients Lauren MacArthur, Dr. Craig Janssen,  
11 and Dr. Roberta Blowers was below the standard of care in violation of NRS 631.3485(4) and NAC  
12 631.230(c).

13           7.       Applying the administrative burden of proof of substantial evidence as set forth in  
14 *State, Emp. Security v. Hilton Hotels*, 102 Nev. 606, 608, 729 P.2d 497, 498 (1986); and see *Minton*  
15 *v. Board of Medical Examiners*, 110 Nev. 1060, 881 P.2d 1339 (1994), see also NRS 233B.135(3)(e)  
16 & NRS 631.350(1), and while Respondent respectfully disagrees with the Disciplinary Screening  
17 Officer's findings set out in paragraph 6 of this Stipulation, for the purpose of settling this matter,  
18 Respondent does not contest Disciplinary Screening Officer, Bradley S. Roberts, D.D.S.'s findings  
19 that the record keeping regarding patients Lauren MacArthur, Dr. Craig Janssen, and Dr. Roberta  
20 Blowers was below the standard of care in violation of NRS 631.3485(4) and NAC 631.230(c).

21           8.       Based upon the limited investigation conducted to date, Disciplinary Screening  
22 Officer, Bradley S. Roberts, D.D.S., applying the administrative burden of proof of substantial  
23 evidence as set forth in *State, Emp. Security v. Hilton Hotels*, 102 Nev. 606, 608, 729 P.2d 497, 498  
24 (1986); and see *Minton v. Board of Medical Examiners*, 110 Nev. 1060, 881 P.2d 1339 (1994), see  
25 also NRS 233B.135(3)(e) & NRS 631.350(1), but not for any other purpose, finds there is substantial  
26 evidence that Respondent's failed to notify the Board in writing by certified mail within thirty (30)

27   
28 WGD

  
RPD

FROM : Kent M. Johnson DDS

FAX NO. :

Aug. 15 2007 09:44AM P2

1 days of the filing and service of the civil complaint of Roberta Blowers, D.D.S. in violation of NAC  
2 631.155(5).

3 9. Applying the administrative burden of proof of substantial evidence as set forth in  
4 *State, Emp. Security v. Hilton Hotels*, 102 Nev. 606, 608, 729 P.2d 497, 498 (1986); and see *Minton*  
5 *v. Board of Medical Examiners*, 110 Nev. 1060, 881 P.2d 1339 (1994), see also NRS 233B.135(3)(e)  
6 & NRS 631.350(1), Respondent admits he failed to notify the Board in writing by certified mail  
7 within thirty (30) days of the filing and service of the civil complaint of Roberta Blowers, D.D.S. in  
8 violation of NAC 631.155(5).

9 10. Based upon the limited investigation conducted to date, Disciplinary Screening  
10 Officer, Bradley S. Roberts, D.D.S., applying the administrative burden of proof of substantial  
11 evidence as set forth in *State, Emp. Security v. Hilton Hotels*, 102 Nev. 606, 608, 729 P.2d 497, 498  
12 (1986); and see *Minton v. Board of Medical Examiners*, 110 Nev. 1060, 881 P.2d 1339 (1994), see  
13 also NRS 233B.135(3)(e) & NRS 631.350(1), but not for any other purpose, finds there is substantial  
14 evidence that Respondent incorrectly answered the questions on his license renewals regarding his  
15 obligations for child support in violation of NRS 631.225.

16 11. Applying the administrative burden of proof of substantial evidence as set forth in  
17 *State, Emp. Security v. Hilton Hotels*, 102 Nev. 606, 608, 729 P.2d 497, 498 (1986); and see *Minton*  
18 *v. Board of Medical Examiners*, 110 Nev. 1060, 881 P.2d 1339 (1994), see also NRS 233B.135(3)(e)  
19 & NRS 631.350(1), Respondent admits he incorrectly answered the questions on his license renewals  
20 regarding his obligations for child support in violation of NRS 631.225.

21 12. Based upon the limited investigation conducted to date, Disciplinary Screening  
22 Officer, Bradley S. Roberts, D.D.S., applying the administrative burden of proof of substantial  
23 evidence as set forth in *State, Emp. Security v. Hilton Hotels*, 102 Nev. 606, 608, 729 P.2d 497, 498  
24 (1986); and see *Minton v. Board of Medical Examiners*, 110 Nev. 1060, 881 P.2d 1339 (1994), see  
25 also NRS 233B.135(3)(e) & NRS 631.350(1), but not for any other purpose, finds there is substantial  
26 evidence that Respondent while on a retired status for the period of July 1, 1998 thru June 30, 1999  
27 on more than one occasion practiced dentistry in the State of Nevada in violation NRS 631.395(9).

28   
WGD

  
RPD

FROM : Kent M. Johnson DDS

FAX NO. :

Aug. 15 2007 09:45AM P4

1           13.     Applying the administrative burden of proof of substantial evidence as set forth in  
2 *State, Emp. Security v. Hilton Hotels*, 102 Nev. 606, 608, 729 P.2d 497, 498 (1986); and see *Minton*  
3 *v. Board of Medical Examiners*, 110 Nev. 1060, 881 P.2d 1339 (1994), see also NRS 233B.135(3)(e)  
4 & NRS 631.350(1), Respondent respectfully disagrees with Disciplinary Screening Officer, Bradley  
5 S. Roberts, D.D.S.'s finding. In regard to this specific issue, Respondent points out the following:  
6 When Respondent filled out and completed his Statement of License Renewal (the "1998 Statement")  
7 for the period beginning on July 1, 1998 and June 30, 1999, he accurately completed the 1998  
8 Statement, and every representation set forth on the 1998 Statement was 100% true and correct. After  
9 completing the 1998 Statement, it was sent to Respondent's accountant, Bruce Bloch, CPA, to issue  
10 the check to be sent to the Board with the 1998 Statement. At the time, Mr. Bloch prepared and  
11 issued all business checks for Respondent, as he continues to do today. Mr. Bloch has confirmed in  
12 a sworn affidavit submitted to the Board that he mistakenly look at the dollar amount on the far right  
13 side of the 1998 Statement, and thus prepared and issued a check in the amount of \$25 made payable  
14 to the Board. Upon receipt of Respondent's 1998 Statement and the \$25 check, the administrative  
15 office of the Board registered Respondent as being in "Retired" status. Thereafter the Board sent  
16 Respondent a "pocket card" which in part that states: "*This is to certify that William G. Dickerson,*  
17 *D.D.S. is entitled to practice as a licensed Dentist.*" Respondent also recognizes and acknowledges  
18 the pocket card also includes a reference that Respondent's License Number 880 is Status 3.  
19 Respondent respectfully points out to the right of "Status: 3", in very small print, it indicates, "*Class*  
20 *expired.*" This same pocket card also certified that it was "*Valid through June 30, 1999.*" At  
21 no time was it Respondent's desire or intent to be in a retired status during the period of time  
22 beginning on July 1, 1998 and June 30, 1999, because Respondent had an ongoing dental practice  
23 with which he fully intended to continue when he completed his 1998 Statement for such licensing  
24 period. In fact, as evidence of this fact, Respondent certified and expressly noted that he had at least  
25 12 hours of continuing education credit for the previous year (i.e., Respondent had 48 hours of  
26 continuing education credit as listed on his 1998 Statement). Similarly, during the time period now

27   
28 WGD

  
RPD

FROM : Kent M. Johnson DDS

FAX NO. :

Aug. 15 2007 09:46AM PS

1 in question (i.e., July 1, 1998 through June 30, 1999). Respondent continued to meet his obligation  
2 of obtaining at least 12 continuing education credits in order to keep his dental license active. In fact,  
3 during that period of time (i.e., July 1, 1998 through June 30, 1999), Respondent obtained 42 hours  
4 of continuing education credits, as certified to by Respondent at the time he submitted his Statement  
5 of License Renewal for the immediately following year (i.e., for the time period between July 1, 1999  
6 through June 30, 2000) in June 1999. It was at or about that time that Respondent first learned that  
7 the Board considered him to be in "Retired" status during the previous year because the Board had  
8 only received the \$25 check with Respondent's 1998 Statement. It is Respondent's understanding  
9 and belief, that the mistake regarding his licensing status was immediately corrected, and the Board  
10 accepted a \$275 check from Respondent on or about June 22, 1999 to rectify the mistake and correct  
11 Respondent's licensing status from "Retired" to "Active" status for the relevant period of time  
12 between July 1, 1998 through June 30, 1999. Thus, based on his communications with the Board in  
13 June 1999, it was Respondent's understanding and belief that with the Board's acceptance of the  
14 additional \$275 active status annual fee tendered by Respondent on or about June 22, 1999,  
15 Respondent's licensing status was corrected to confirm that he was in active status for the period  
16 between July 1, 1998 through June 30, 1999. Base on such circumstances, Respondent respectfully  
17 submits that he did not knowingly and willfully violate NRS 631.395(9).

18 14. Based upon the limited investigation conducted to date, the findings of Disciplinary  
19 Screening Officer, Bradley Roberts, D.D.S., and the admissions contained in paragraphs 7, 9, and  
20 11 the parties have agreed to resolve the pending disciplinary action pursuant to the following terms  
and conditions:

22 a. Respondent's dental practice shall be monitored for a period of one (1) year  
23 from the adoption of this Stipulation. During the twelve (12) month  
24 monitoring period Respondent shall allow either the Executive Director of the  
25 Board and/or the agent appointed by the Executive Director of the Board and  
26 Disciplinary Screening Officer, Bradley S. Roberts, D.D.S., and/or another  
27 dentist Disciplinary Screening Officer appointed by the Board, to inspect  
28 Respondent's records during normal business hours to insure compliance of  
this Stipulation. In the event Respondent does not actively practice dentistry  
in the State of Nevada, the monitoring period shall be tolled for the period of  
inactive practice.

  
WGD  
RPD



FROM : Kent M. Johnson DDS

FAX NO. :

Aug. 15 2007 09:46AM P6

- b. Pursuant to NRS 631.350(k), in addition to completing the required continuing education, Respondent shall obtain a total of eight (8) additional hours in supplemental education. The eight (8) hours of supplemental education must be received in record keeping. All supplemental education must be completed within six (6) months of the approval of the Stipulation by the Board. The supplemental education must be submitted in writing to the Executive Director of the Board for approval by the Executive Director and Disciplinary Screening Officer, Bradley Roberts, D.D.S., prior to attendance. Upon receipt of a written request to attend supplemental education the Executive Director of the Board shall notify Respondent in writing whether the requested supplemental education is approved for attendance, which such approval will not be unreasonably withheld. If the supplemental education program is not approved by the Executive Director and Disciplinary Screening Officer, Bradley Roberts, D.D.S., Respondent shall be notified in writing of the specific reasons for supplemental education program not being approved. All costs associated with this supplemental education shall be paid by Respondent. In the event Respondent fails to complete all of the supplemental education within six (6) months, Respondent agrees his license to practice dentistry in the State of Nevada shall automatically be suspended without any further action of the Board other than the issuance of an Order by the Executive Director. Upon submitting written proof of completion of the supplemental education, Respondent's license to practice dentistry in the State of Nevada will be automatically reinstated. Respondent agrees to waive any right to seek injunctive relief from any Federal or State of Nevada District Court to prevent the automatic suspension of Respondent's license to practice dentistry in the State of Nevada due to Respondent failure to comply with Paragraph 13(b). Respondent shall also be responsible for any costs or attorney's fees incurred in the event the Board has to seek injunctive relief to prevent Respondent from practicing dentistry during the period Respondent's license is automatically suspended.
- c. Pursuant to NRS 631.350(1)(f), in lieu of providing community service Respondent agrees to contribute the sum of Fifty-Thousand (\$50,000.00) Dollars to the "Art of a Smile - One Day Program" administered through the One Day Program by the Nevada Dental Association in Las Vegas, Nevada. The Fifty Thousand (\$50,000.00) Dollar payment shall be made in two payments. The first payment of Twenty-Five Thousand (\$25,000.00) Dollars shall be made within thirty (30) days of adoption of this Stipulation. The second and final payment of Twenty-Five Thousand (\$25,000.00) Dollars shall be made on or before the one (1) year anniversary date of the adoption of this Stipulation. Respondent shall deliver to the Board checks made payable to the "Art of a Smile - One Day Program" on or before required payment dates.
- d. Respondent agrees to reimburse the Board for costs of the investigation and to monitor this Stipulation in the amount of Twelve Thousand Five Hundred (\$12,500.00) Dollars. This amount shall be delivered to the Board within thirty (30) days of adoption of this Stipulation.

WGD

  
RPD

FROM : Kent M. Johnson DDS

FAX NO. :

Aug. 15 2007 09:47AM P7

- 1 e. Pursuant to NRS 631.350(1), Respondent agrees to reimburse Dr. Janssen in  
2 the amount of Seven Thousand (\$7,000.00) Dollars within thirty (30) days of  
3 adoption of this Stipulation. Respondent shall deliver to the Board a check in  
4 the amount of Seven Thousand (\$7,000.00) Dollars made payable to Dr. Craig  
5 Janssen. Such reimbursement is for the restoration of four (4) chipped teeth.
- 6 f. In the event Respondent fails to deliver any of the payments required pursuant  
7 to Paragraphs 14(c), or 14(d), or 14(e), Respondent agrees his license to  
8 practice dentistry in the State of Nevada shall automatically be suspended  
9 without any further action of the Board other than issuance of an order by the  
10 Executive Director. Failure to deliver payment would include any checks  
11 returned for insufficient funds. Respondent agrees to the payment of twenty-  
12 five dollars (\$25.00) for each day Respondent fails to deliver any of the  
13 payments required by Paragraphs 14(c), or 14(d), or 14(e). Respondent may  
14 cure any default regarding the payments set forth in Paragraphs 14(c), or 14(d),  
15 or 14(e), by delivering to the Board's Executive Director the total amount in  
16 default, plus the twenty-five dollar (\$25.00) per day assessment. Upon receipt  
17 of payment in full of any amount in default, plus the twenty-five dollar  
18 (\$25.00) per day assessment, the Executive Director shall without any further  
19 action of the Board reinstate Respondent's license to practice dentistry in the  
20 State of Nevada, assuming there are no other violations of any of the  
21 provisions contained in this Stipulation. Respondent agrees to waive any right  
22 to seek injunctive relief from either the Nevada Federal District Court or the  
23 Nevada State District Court to reinstate her license prior to curing any default  
24 on the amounts due and owing. Respondent shall also be responsible for any  
25 costs or attorney's fees incurred in the event the Board has to seek injunctive  
26 relief to prevent Respondent from practicing dentistry during the period  
27 Respondent's license is automatically suspended.
- 28 g. Pursuant to NRS 631.350(1)(j), Respondent shall retake the jurisprudence test  
as required by NRS 631.240(2) on the contents and interpretation of NRS 631  
and the regulations of the Board. Respondent shall have ninety (90) days,  
commencing upon adoption of this Stipulation, to complete the re-  
examination. The jurisprudence examination is administered on the first  
Monday of each month at 10:00 a.m. and 2:00 p.m. at the Board's office.  
Respondent shall contact the Board to schedule a time to submit to the re-  
examination. In the event Respondent fails to successfully complete the re-  
examination within ninety (90) days of adoption of this Stipulation,  
Respondent agrees his license to practice dentistry in the State of Nevada shall  
be automatically suspended without any further action of the Board other than  
issuance of an order by the Executive Director. Upon successful completion  
of the re-examination, Respondent's license to practice dentistry in the State  
of Nevada will be automatically reinstated, assuming all other provisions of  
this Stipulation are in compliance. Respondent agrees to waive any right to  
seek injunctive relief from any Federal or State of Nevada District Court to  
prevent the automatic suspension of Respondent's license to practice dentistry  
in the State of Nevada due to Respondent's failure to comply with Paragraph  
14(g). Respondent shall also be responsible for any costs or attorney's fees  
incurred in the event the Board seeks injunctive relief to prevent Respondent  
from practicing dentistry during the period Respondent's license is  
automatically suspended.

  
WGD  
RPD



FROM : Kent M. Johnson DDS

FAX NO. :

Aug. 15 2007 09:48AM PB

h. Respondent agrees should the Board find that Respondent has, subsequent to this Stipulation, either failed to properly report his child support obligations pursuant to NRS 631.225; or Respondent has failed to properly report the filing and service of a civil complaint pursuant to NAC 631.155(5); or Respondent has practiced dentistry in the State of Nevada on either an inactive or retired status, Respondent agrees such violations shall be deemed willful pursuant to NRS 631.3485(1).

i. In the event Respondent fails to cure any default in payment within forty-five (45) days of the default, Respondent agrees the amount may be reduced to judgment.

j. Respondent waives any right to have the amounts owed pursuant Paragraphs 14(c), or 14(d), or 14(e) discharged in bankruptcy.

### CONSENT

15. Respondent has read all of the provisions contained in this Stipulation and agrees with them in their entirety.

16. Respondent is aware that, by entering into this Stipulation, he is waiving certain valuable due process rights with respect to the specific investigations referenced in this Stipulation, including those rights contained in, but not limited to, NRS 631, NAC 631, NRS 233B and NAC 233B.


17. Respondent expressly waives any right to challenge the Board for bias in deciding whether or not to adopt this Stipulation in the event this matter was to proceed to a full Board hearing.

18. Respondent and the Board agree any statements and/or documentation made or considered by the Board during any properly notice open meeting to determine whether to adopt or reject this Stipulation are privileged settlement negotiations and therefore such statements or documentation may not be used in any subsequent Board hearing or judicial review, whether or not judicial review is sought in either the State or Federal District Court(s).

19. Respondent have reviewed this Stipulation with his attorney, Robert P. Dickerson, Esquire, who has explained each and every provision contained in this Stipulation to the Respondent.

20. Respondent acknowledges he is consenting to this Stipulation voluntarily, without coercion or duress and in the exercise of their own free will.

  
WGD

  
RPD

FROM : Kent M. Johnson DDS

FAX NO.

Aug. 15 2007 09:49AM P9

1        21.    Respondent acknowledges no other promises in reference to the provisions contained  
2 in this Stipulation have been made by any agent, employee, counsel or any person affiliated with the  
3 Nevada State Board of Dental Examiners.

4        22.    Respondent acknowledges the provisions in this Stipulation contain the entire  
5 agreement between Respondent and the Board and the provisions of this Stipulation can only be  
6 modified, in writing, with Board approval.

7        23.    Respondent agrees in the event the Board adopts this Stipulation he hereby waives any  
8 and all rights to seek judicial review to challenge or contest the validity of the provisions contained  
9 in the Stipulation.

10       24.    Respondent and the Board agree that none of the parties shall be deemed the drafter  
11 of this Stipulation. In the event this Stipulation is construed by a court of law or equity, such court  
12 shall not construe this Stipulation or any provision hereof against any party as the drafter of the  
13 Stipulation. The parties hereby acknowledge that all parties have contributed substantially and  
14 materially to the preparation of this Stipulation.

15       25.    Respondent specifically acknowledges by his signature herein and his initials at the  
16 bottom of each page of this Stipulation, he has read and understands its terms and acknowledges that  
17 he has signed and initialed of his own free will and without undue influence, coercion, duress, or  
18 intimidation.

19       26.    Respondent acknowledges in the event the Board adopts this Stipulation, this  
20 Stipulation may be considered in any future Board proceeding(s) or judicial review, whether such  
21 judicial review is preformed by either the State or Federal District Court(s).

22       27.    This Stipulation will be considered by the Board in an open meeting. It is understood  
23 and stipulated the Board is free to accept or reject the Stipulation and, if the Stipulation is rejected  
24 by the Board, the Board shall be entitled to continue with its investigation referenced in this  
25 Stipulation, and, if the Board deems appropriate, further disciplinary proceeding may be implemented  
26 by the Board. This Stipulation will only become effective when the Board has approved the same in

27         
28       WGD

  
RPD

FROM : Kent M. Johnson DDS

FAX NO. :

Aug. 15 2007 09:49AM P18

1 an open meeting. Should the Board adopt this Stipulation, such adoption shall be considered a final  
2 disposition of a contested case and will become a public record; however, this Stipulation shall be  
3 reported to the National Practitioners Data Bank.


4 DATED this 15 day of August, 2007

5  
6  
7   
WILLIAM DICKERSON, D.D.S.  
RESPONDENT


8  
9 APPROVED AS TO FORM & CONTENT

10  
11   
JOHN A. HUNT, ESQ.  
Winner, Hunt & Carson, P.C.  
Board Counsel

APPROVED AS TO FORM & CONTENT

12  
13   
BRADLEY S. ROBERTS, D.D.S.  
Disciplinary Screening Officer/  
Informal Hearing Officer

14 APPROVED AS TO FORM & CONTENT

15  
16   
ROBERT F. DICKERSON, ESQ.  
Attorney for Respondent

17  
18  
19 The foregoing Stipulation was approved/disapproved by a vote of the Nevada State Board of  
20 Dental Examiners at a properly noticed meeting.

21  
22 DATED this 15 day of August, 2007.

23 NEVADA STATE BOARD OF DENTAL EXAMINERS

24  
25   
TONY GUALEA, D.D.S.  
President

26  
27   
WGD

28   
RPD

STATE OF NEVADA  
BEFORE THE BOARD OF DENTAL EXAMINERS OF NEVADA

NEVADA STATE BOARD  
OF DENTAL EXAMINERS,

Case No. 07-1434

Complainant,

vs.

THIRD STIPULATION

ANTHONY LAMANCUSA, D.M.D.

Respondent.

IT IS HEREBY STIPULATED AND AGREED by and between ANTHONY LAMANCUSA, D.M.D. (hereinafter "Respondent"), by and through his attorney, HENRY H. RAWLINGS, JR., ESQ., of the law firm of LEWIS & ASSOCIATES, LLC and THE NEVADA STATE BOARD OF DENTAL EXAMINERS (hereinafter the "Board") by and through Disciplinary Screening Officer, J. Stephen Sill, D. M. D., and Board's counsel, JOHN A. HUNT, ESQ., of the law firm of WINNER, HUNT & CARSON, P.C. as follows:

1 On January 15, 2005, the Board adopted a Stipulation wherein Respondent admitted to unknowingly aiding and abetting a person not licensed to practice dental hygiene in the State of Nevada, due to the fraud of Kelly Stein and Respondent's lack of due diligence, thereby allowing Kelly Stein, a non-licensed dental hygienist, to practice dental hygiene in Respondent's presence in violation of NRS 63 346(3). See Exhibit "1".

2. On August 26, 2005, at a properly noticed meeting, Respondent entered into a Second Stipulation with the Nevada State Board of Dental Examiners. See Exhibit "2".

AL  
At.

1  
2 3. On November 17, 2006, Kathleen J. Kelly, Executive Director of the Board  
3 issued an Order of Suspension to Respondent (See Exhibit "3") stating she had received  
4 substantial evidence of the following:

- 5 a. Respondent on more than one occasion issued prescriptions for more  
6 than 12 units of a controlled substance for a patient in violation of  
7 Paragraph 6(a)(I) of the Second Stipulation adopted by the Board on  
8 August 26, 2005.  
9 b. Respondent failed to submit the list of prescriptions issued by  
10 Respondent on the first day of each month with the required details of  
11 information pursuant to Paragraph 6(a)(I) of the Second Stipulation  
12 adopted by the Board on August 26, 2005.  
13 c. Respondent was aware that nitrous oxide-oxygen was present where  
14 he practiced dentistry in violation of Paragraph 6(a)(vi) of the Second  
15 Stipulation adopted by the Board on August 26, 2005.  
16 d. As a result of the violations cited above Executive Director Kelly  
17 issued the following orders:  
18 i. Respondent's license was suspended effective immediately.  
19 ii. Respondent had to surrender his prescription License No.  
20 BL4558586 with United States Department of Justice, DEA  
21 for a period of three (3) years effective on the date of the Order  
22 of Suspension.  
23 iii. Respondent had to surrender his prescription License No.  
24 BL4558586 with the Nevada State Board of Pharmacy for a  
25 period of three (3) years effective on the date of the Order of  
26 Suspension.

27 4. On November 28, 2006, the Board received a formal request and petition  
28 requesting a formal hearing before the Board to reinstate Respondent's privilege to  
practice dentistry in the State of Nevada.

5. On January 20, 2007, a properly noticed hearing to consider Respondent's  
petition to reinstate his license to practice dentistry was held. Based upon that hearing,  
Findings of Fact, Conclusions of Law and Decision were entered by the Board (See  
Exhibit "4"). Respondent having reviewed the Findings of Fact, Conclusions of Law and

AL  
AL

N.S.B.D.C.  
AUG 28 2007

HR  
HHR



Decision, with the advice of his counsel, hereby accepts same and waives any right to seek  
judicial review of the Findings of Fact, Conclusions of Law and Decision

6. In light of Respondent's acceptance of the Findings of Fact, Conclusions of Law and Decision entered by the Board, (Exhibit "4"), the parties hereby agree to this Third Stipulation based upon the following terms and conditions:

A. Respondent agrees pursuant to NRS 631.350(d) and (h), he shall be placed on probation for a period of five (5) years upon adoption of the Third Stipulation. Upon adoption this Third Stipulation shall supercede the terms and conditions of the Stipulation dated August 26, 2005. The terms and conditions of the probation shall be reportable to the National Practitioners Data Bank. In the event Respondent does not actively practice dentistry in the State of Nevada the probationary period shall be tolled for the period on inactive practice. Respondent's practice shall be supervised and monitored pursuant to the following terms and conditions effective upon adoption of this Stipulation by the Board:

During the five (5) year probation/supervisory period, Respondent shall allow either the Executive Director of the Board and/or agent(s) appointed by the Board's Executive Director to inspect Respondent's records to ensure compliance with this Stipulation. Such inspections shall be performed, without notice, during normal business hours. During the probationary period Respondent is permitted to issue prescriptions for non-narcotic controlled substances pursuant to the terms set forth below. During the probationary period Respondent is prohibited from issuing any prescriptions for Class II, Class IIN, Class III, Class IIIN, Class IV, or Class V controlled substances. In the event a patient of Respondent requires a prescription for a Class II, Class IIN, Class III, Class IIIN, Class IV, or Class V controlled substance, Respondent is authorized to have a dentist licensed in Nevada to issue such a prescription. The prescribing dentist must physically examine the patient. The examination, prescription, and quantity must be entered into the patient's record by the prescribing dentist in his/her own handwriting. Respondent is responsible for making sure these entries are in the patient's records. Respondent is prohibited from receiving any pre-signed prescription(s) from a dentist who is issuing a prescription on behalf of any of Respondent's patient(s). All prescriptions issued by Respondent during the probationary period for non-narcotic controlled substances must be in Respondent's handwriting and must have an original signature of Respondent. Respondent must maintain a copy of any prescriptions issued by Respondent for non-narcotic controlled substances. Such copies shall be attached to reports submitted on the first day on each month. During the probationary

AK  
AL

1 period Respondent is prohibited from placing telephone  
2 prescriptions for non-narcotic controlled substances. All  
3 prescriptions issued by a dentist on behalf of Respondent  
4 during the probationary period for Class II, Class IIN, Class  
5 III, Class IIIN, Class IV, or Class V controlled substances  
6 must be in that dentist's own handwriting and must have an  
7 original signature of that dentist. Respondent must maintain a  
8 copy of any prescriptions issued by a dentist on Respondent's  
9 behalf for Class II, Class IIN, Class III, Class IIIN, Class IV,  
10 or Class V controlled substances. Such copies shall be  
11 attached to reports submitted on the first day on each month.  
12 During the probationary period any dentist who issues a  
13 prescription to any of Respondent's patient(s) is prohibited  
14 from placing telephone prescriptions for Class II, Class IIN,  
15 Class III, Class IIIN, Class IV, or Class V controlled  
16 substances. On the first day of each month during the  
17 probation period Respondent shall prepare a report listing the  
18 prescriptions issued by either the Respondent or any dentist  
19 was has issued a prescription on Respondent's behalf.  
20 Attached to the report shall be copies of any prescriptions  
21 issued by either the Respondent or any dentist was has issued  
22 a prescription on Respondent's behalf. The report shall  
23 include the following information and shall be submitted to the  
24 Executive Director of the Board:

- (a) patient's name;
- (b) date of issuance;
- (c) name of dentist who issued prescription;
- (d) units and amount of controlled substance issued; and
- (e) reason for issuing the controlled substance.

7 ii. In the event the Board's Executive Director has substantial  
8 evidence to believe Respondent has failed to comply with any  
9 of the provisions contained in Paragraph 6(A)(i) the Executive  
10 Director, without further hearing or action by the Board, shall  
11 issue an Order of Revocation of Respondent's license to  
12 practice dentistry in the State of Nevada. After a period of one  
13 (1) years from the date of the Order of Revocation,  
14 Respondent may petition the Board to reinstate Respondent's  
15 revoked license. During the pendency of the one (1) year  
16 minimum revocation period Respondent waives any right to  
17 seek judicial review to reinstate his privilege to practice  
18 dentistry in the State of Nevada pending a final Board hearing  
19 to determine whether to reinstate Respondent's revoked  
20 license.

24 iii. Upon adoption of this Third Stipulation by the Board,  
25 Respondent shall physically surrender his License No.  
26 BL4558586 with the United States Department of Justice,  
27 D.E.A. to prescribe Class II, Class IIN, Class III, Class IIIN,  
28 Class IV, and Class V for a period of five (5) years. In the  
event the Board's Executive Director has substantial evidence  
to believe Respondent has either failed to physically surrender  
his DEA License or has prescribed any Class II, Class IIN,

AL

N.S.D.D.C.

AUG 28 2007

HHR



Class III, Class IIIN, Class IV, or Class V controlled substances, the Executive Director, without further hearing or action by the Board, shall issue an Order of Revocation of Respondent's license to practice dentistry in the State of Nevada. After a period of one (1) year from the date of the Order of Revocation, Respondent may petition the Board to reinstate Respondent's revoked license. During the pendency of the one (1) year minimum revocation period Respondent waives any right to seek judicial review to reinstate his privilege to practice dentistry in the State of Nevada pending a final Board hearing to determine whether to reinstate Respondent's revoked license. Assuming no violations of Paragraph 6(A)(iii), at the conclusion of the five (5) year probationary period Respondent may apply to the United States Department of Justice, D.E.A. to have his License No.BL4558586 reinstated. The Board will notify the DEA of the Findings of Fact, Conclusions of Law and Decision (Exhibit "4") which have been entered by the Board.

iv Upon adoption of this Third Stipulation by the Board, Respondent shall physically surrender his License No. BL4558586 with the with the Nevada State Board of Pharmacy to prescribed Class II, Class IIN, Class III, Class IIIN, Class IV, and Class V for a period of five (5) years. In the event the Board's Executive Director has substantial evidence to believe Respondent has either failed to physically surrender his Nevada State Board of Pharmacy License or has prescribed Class II, Class IIN, Class III, Class IIIN, Class IV, or Class V controlled substance, the Executive Director without further hearing or action by the Board, shall issue an Order of Revocation of Respondent's license to practice dentistry in the State of Nevada. After a period of one (1) year from the date of the Order of Revocation, Respondent may petition the Board to reinstate Respondent's revoked license. During the pendency of the one (1) year minimum revocation period Respondent waives any right to seek judicial review to reinstate his privilege to practice dentistry in the State of Nevada pending a final Board hearing to determine whether to reinstate Respondent's revoked license. Assuming no violations of Paragraph 6(A)(iv) at the conclusion of the five (5) year probationary period Respondent may apply to the Nevada State Board of Pharmacy to have his License No.BL4558586 reinstated. The Board will notify the Nevada State Board of Pharmacy of the Findings of Fact, Conclusions of Law and Decision (Exhibit "4") which have been entered by the Board.

v. During the five (5) year probationary period commencing upon the adoption of this Third Stipulation, all chart entries on patients seen or treated by Respondent must be in Respondent's own hand writing and must contain at a minimum the following information:

AL

IN. J. -  
AUG 28 2001

HR  
HHR

1. Date of the treatment;
2. A diagnosis for every treatment performed;
3. A description of the treatment performed;
4. Amount, concentration and types of medications given;
5. Each prescription must be in triplicate and indicate the number of units and concentration of the drug prescribed;
6. For emergency or problem focused evaluations, Respondent must provide a statement in the patient's words of the problem, an observation of the patient's condition, a diagnosis, and a statement of the proposed treatment.

In the event the Board's Executive Director has substantial evidence to believe Respondent has failed to comply with any of the provisions contained in Paragraph 6(A)(v), the Executive Director, without further hearing or action by the Board, shall issue an Order of Revocation of Respondent's license to practice dentistry in the State of Nevada. After a period of one (1) year from the date of the Order of Revocation, Respondent may petition the Board to reinstate Respondent's revoked license. During the pendency of the one (1) year minimum revocation period Respondent waives any right to seek judicial review to reinstate his privilege to practice dentistry in the State of Nevada pending a final Board hearing to determine whether to reinstate Respondent's revoked license.

v During the five (5) year probationary period commencing upon the adoption of this Third Stipulation all insurance claims submitted for treatment by Respondent shall contain an original signature of Respondent. In the event the Board's Executive Director has substantial evidence to believe Respondent has submitted either an insurance claim form that does not contain his original signature the Executive Director, without further hearing or action by the Board, shall issue an Order of Revocation of Respondent's license to practice dentistry in the State of Nevada. After a period of one (1) year from the date of the Order of Revocation, Respondent may petition the Board to reinstate Respondent's revoked license. During the pendency of the one (1) year minimum revocation period Respondent waives any right to seek judicial review to reinstate his privilege to practice dentistry in the State of Nevada pending a final Board hearing to determine whether to reinstate Respondent's revoked license.

vii. Pursuant to NRS 631.350(1)(i), Respondent agrees to perform One Hundred and Fifty (150) hours of Board approved community service at a dental public health facility. The One Hundred and Fifty (150) hours of community service must be completed within three (3) years of the Board's adoption of this Third Stipulation. Respondent must receive prior written approval from the Board's Executive Director before

AL  
AL

administering the community service. To receive credit for any of the community service rendered Respondent must have an individual who is responsible for the community service facility attest to the amount of time Respondent has rendered treatment. In the event Respondent fails to complete the One Hundred and Fifty (150) hours of community service within three (3) years of the Board's adoption of this Third Stipulation the Executive Director shall without any further action of the Board shall issue an Order suspending Respondent's license to practice dentistry in the State of Nevada. Upon submitting written proof to the Executive Director that Respondent has completed the One Hundred and Fifty (150) hours of community service the Executive Director without any further action of the Board shall issue an Order reinstating Respondent's license to practice dentistry in the State of Nevada. During the period of suspension Respondent waives any right to seek judicial review to reinstate his privilege to practice dentistry in the State of Nevada.

viii During the probationary period, Respondent agrees to submit to random sampling of urine, hair and/or bodily fluids for controlled and/or non-prescribed substances when so ordered by the Executive Director of the Board until August 26, 2008 Respondent shall be responsible for all costs incurred for the analysis of urine and/or bodily fluids.

In the event any test or analysis of bodily fluids taken from Respondent, pursuant to the terms of this Third Stipulation, is positive, indicating the presence of controlled substances (not pursuant to a valid prescription), the Executive Director, without any further hearing or action by the Board, shall issue an Order of Revocation of Respondent's license to practice dentistry in the State of Nevada. After a period of one (1) year from the date of the Order of Revocation, Respondent may petition the Board to reinstate Respondent's revoked license. During the pendency of the one (1) year minimum revocation period Respondent waives any right to seek judicial review to reinstate his privilege to practice dentistry in the State of Nevada pending a final Board hearing to determine whether to reinstate Respondent's revoked license.

(a) In the event Respondent fails to submit or present himself for random drug testing, within (24) hours when ordered by the Executive Director, the Executive Director without any further hearing or action by the Board, shall issue an Order of Revocation of Respondent's license to practice dentistry in the State of Nevada. After a period of one (1) year from the date of the Order of Revocation, Respondent may petition the Board to reinstate Respondent's revoked license. During the pendency of the one (1) year

2 minimum revocation period Respondent waives  
3 any right to seek judicial review to reinstate his  
4 privilege to practice dentistry in the State of  
5 Nevada pending a final Board hearing to  
6 determine whether to reinstate Respondent's  
7 revoked license.

- 8 (b) Respondent authorizes reports generated by the  
9 urinalysis and/or bodily fluids testing to be  
10 furnished to the Executive Director of the Board.  
11 All reports submitted to the Executive Director  
12 of the Board shall remain confidential.  
13 However, in the event of a violation in the form  
14 of a confirmed, positive test result, all reports  
15 previously submitted to the Executive Director  
16 of the Board will be available for use by the  
17 Board, including in connection with any  
18 subsequent disciplinary action of the Board.

19 ix. Respondent agrees to reimburse the Board for costs of the  
20 investigation and to monitor this Stipulation in the amount of  
21 Seventy Five Hundred(\$7,500.00) Dollars pursuant to the  
22 following payment schedule:

- 23 a. Prior to the adoption of this Third Stipulation,  
24 Respondent shall deliver the initial sum of Twenty-five  
25 (\$2,500.00) Dollars to the Board upon execution of this  
26 Third Stipulation. If the Board does not adopt this  
27 Third Stipulation the Twenty-five (\$2,500.00) Dollars  
28 will be returned in full to Respondent.
- 29 b. Thereafter, every six (6) months on the first for the first  
30 business day of each month, Respondent shall deliver to  
31 the Board's office located at 6010 S. Rainbow Blvd.  
32 Bldg. A, Suite 1, Las Vegas, Nevada, the sum of twelve  
33 Hundred and Fifty (\$1,250.00) Dollars to satisfy the  
34 remaining balance due of Five Thousand (\$5,000.00)  
35 for costs of this investigation and to monitor this Third  
36 Stipulation.

37 x. Respondent pursuant to NRS 631.350(c) agrees to pay a fine,  
38 reportable to the National Practitioners Data Bank, in the  
39 amount of One Thousand(\$1,000.00) Dollars pursuant to the  
40 following payment schedule:

- 41 a. Prior to the adoption of this Stipulation, Respondent  
42 shall deliver the initial sum of Five Hundred  
43 (\$500.00)Dollars to the Board upon execution of this  
44 Third Stipulation. If the Board does not adopt this  
45 Third Stipulation the initial Five Hundred (\$500.00)  
46 Dollars will be returned in full to Respondent.



1  
2 b. Thereafter, within six (6) months of adoption of this  
3 Third Stipulation, Respondent shall deliver to the  
4 Board's office located at 6010 S. Rainbow Blvd. Bldg  
A, Suite 1, Las Vegas, Nevada the remaining balance  
due of Five Hundred (\$500.00) Dollars due on the  
agreed fine.

5 xi In the event Respondent fails to deliver any of the payments  
6 required pursuant to Paragraphs 6(A)(ix) or 6(A)(x),  
7 Respondent agrees his license to practice dentistry in the State  
8 of Nevada shall automatically be suspended without further  
9 action of the Board other than issuance of an Order by the  
10 Executive Director. Failure to deliver payment would include  
11 any checks returned for insufficient funds. Respondent agrees  
12 to the payment of twenty-five dollars (\$25.00) for each day  
13 Respondent fails to deliver any of the payments required by  
14 Paragraphs 6(A)(ix) or 6(A)(x). Respondent may cure any  
15 default regarding the payments set forth in Paragraphs  
16 6(A)(ix) or 6(A)(x), by delivering to the Board's Executive  
Director the total amount in default, plus the twenty-five dollar  
(\$25.00) per day assessment. Upon receipt of payment in full  
of any amount in default, plus the twenty-five dollar (\$25.00)  
per day assessment, the Executive Director shall, without  
further action of the Board, reinstate Respondent's license to  
practice dentistry in the State of Nevada, assuming there are no  
other violations of any of the provisions contained in this  
Stipulation. Respondent agrees to waive any right to seek  
injunctive relief from either the Nevada Federal District Court  
or the Nevada State District Court to reinstate his license prior  
to curing any default on the amounts due and owing.

17 xii. In the event Respondent fails to cure any default in payment  
18 within forty-five (45) days of the default, Respondent agrees  
the amount may be reduced to judgment.

19 xiii Respondent waives any right to have the amounts owed  
20 pursuant Paragraphs 6(A)(ix) or 6(A)(x) discharged in  
bankruptcy.

21 xiv. Respondent agrees during the probationary period, Respondent  
22 shall have each employer and dentist who issues a controlled  
23 substance on Respondent's behalf acknowledge in writing  
24 receipt of a copy of this Third Stipulation. Acknowledgment  
25 shall consist of each employer and dentist who issues a  
26 controlled substance on Respondent's behalf signing and  
27 dating a copy of this Third Stipulation which Respondent shall  
28 maintain for inspection by the Board. In the event the Board's  
Executive Director has substantial evidence to believe  
Respondent has not provided each employer and dentist who  
has issued a controlled substance on behalf of Respondent the  
Executive Director, without further hearing or action by the  
Board, shall issue an Order of Revocation of Respondent's  
license to practice dentistry in the State of Nevada. After a

AL

period of one (1) year from the date of the Order of Revocation, Respondent may petition the Board to reinstate Respondent's revoked license. During the pendency of the one (1) year minimum revocation period Respondent waives any right to seek judicial review to reinstate his privilege to practice dentistry in the State of Nevada pending a final Board hearing to determine whether to reinstate Respondent's revoked license.

- xv. Respondent and the Board agree all of the provisions contained in this Third Stipulation shall supercede all of the provisions contained in the Second Stipulation adopted by the Board on August 26, 2005.

### CONSENT

7. Respondent has read all of the provisions contained in this Third Stipulation and agrees with them in their entirety.

8. Respondent is aware by entering into this Third Stipulation he is waiving certain valuable due process rights contained in, but not limited to, NRS 631, NAC 631, NRS 233B and NAC 233B.

9. Respondent expressly waives any right to challenge the Board for bias in deciding whether or not to adopt this Third Stipulation in the event this matter was to proceed to a full Board hearing.

10. Respondent and the Board agree any statements and/or documentation made or considered by the Board during any properly notice open meeting to determine whether to adopt or reject this Third Stipulation are privileged settlement negotiations and therefore such statements or documentation may not be used in any subsequent Board hearing or judicial review, whether or judicial review is sought in either the State or Federal District Court(s).

11. Respondent has reviewed the Third Stipulation with his attorney, Henry H. Rawlings, Jr., Esquire, who has explained each and every provision contained in this Third

AL

AL

tipu

h espon

respon ed

th Th

tan

th ec

lun an th

free

3

pon

kn

res th

fe

to th

con ed

Th

h

ny

oy

or

per

rec th

N

at

inc

pon

kn

th

in th Third

ty

R

of <sup>re</sup> Th

ip

be

id find

vri

app

Re po

re

th

B rd adopts th Third

he

hereb

ise th

th

R po

an

oard

the arty ha be deemed drafter

of h

th

ru by t of law

quity

rt th

stru th Third

any

h f against

ther party

dr ft

th Th

part hereby know ed that both

parties

uri ed

all

he reparat of th s Third

art

kn

Th

or

effort of

ch of th p

th

of any

th stru

f y terms

he in

ot be

nst th party

17

7

R po

if

kn

ed res b hi

gna

her

an

h in

18

AL

er SBDE

AUG

007

HHR




1 at the bottom of each page of this Third Stipulation, he has read and understands its terms and  
2 acknowledges that he has signed and initialed of his own free will and without undue  
3 influence, coercion, duress, or intimidation.

4  
5 18. Respondent acknowledges in the event the Board adopts this Third Stipulation,  
6 this Third Stipulation may be considered in any future Board proceeding(s) or judicial review,  
7 whether such judicial review is preformed by either the State or Federal District Court(s).

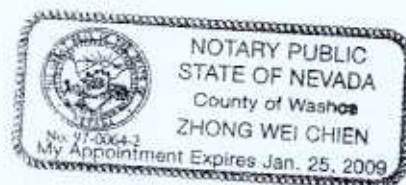
8  
9 19. This Third Stipulation will be considered by the Board in an open meeting. It  
10 is understood and stipulated the Board is free to accept or reject the Third Stipulation and, if  
11 the Third Stipulation is rejected by the Board, further disciplinary action may be implemented.  
12 This Third Stipulation will only become effective when the Board has approved the same in  
13 an open meeting. Should the Board adopt this Third Stipulation, such adoption shall be  
14 considered a final disposition of a contested case and will become a public record and shall  
15 be reported to the National Practitioners Data Bank.

16 DATED this 25 day of August, 2007.


17  
18   
19 ANTHONY LaMANCUSA, D.M.D.  
Respondent

20  
21 SUBSCRIBED and SWORN to before me  
22 this 13 day of August, 2007.

23   
NOTARY PUBLIC



24 APPROVED AS TO FORM & CONTENT

25   
26 HENRY H. RAWLINGS, JR., ESQ.

27  
28   
AL

1 APPROVED AS TO FORM & CONTENT

APPROVED AS TO FORM & CONTENT

2  
3 JOHN A. HUNT, ESQUIRE  
4 WINNER, HUNT & CARSON P.C.  
Board Counsel

J. STEPHEN SILL, D.M.D.  
Disciplinary Screening Office/Informal  
Hearing Officer

5 The foregoing Third Stipulation was approved/disapproved by a vote of the Nevada  
6 State Board of Dental Examiners at a properly noticed meeting.

7 DATED this 18 day of AUGUST, 2007.

8 NEVADA STATE BOARD OF DENTAL EXAMINERS

9  
10 TONY GULDEN, D.D.S.  
11 President

12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
AL

# Exhibit “1”

N.S.B.D.E  
AUG 28 2007

---

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

STATE OF NEVADA  
BEFORE THE BOARD OF DENTAL EXAMINERS OF NEVADA

NEVADA STATE BOARD OF DENTAL EXAMINERS,	)	Case No. 1109-04
Complainant,	)	
	)	<u>STIPULATION</u>
vs.	)	
ANTHONY LaMANCUSA, D.M.D.	)	
	)	
Respondent.	)	
_____	)	

IT IS HEREBY STIPULATED AND AGREED by and between ANTHONY LaMANCUSA, D.M.D. (Hereinafter "Respondent"), in proper person, and THE NEVADA STATE BOARD OF DENTAL EXAMINERS (hereinafter "Board"), by and through Disciplinary Screening Officer, J. Stephen Sill, D. M. D. and Board's counsel, JOHN A. HUNT, ESQ., of the law firm of RALEIGH, HUNT & McGARRY, P.C. as follows

1 On August 1, 2004, the Board notified Respondent of its complaint/authorized investigation regarding whether Respondent was in violation of NRS 631.346, when he employed Ms. Kelly Ann Stein. On September 10, 2004, Respondent filed an answer to the complaint with the Board

2 Based upon the limited investigation conducted to date, Disciplinary Screening Officer, J. Stephen Sill, D. M. D., under the administrative standard of proof as set forth in *State, Emp. Security v. Hilton Hotels*, 102 Nev. 606, 608, 729 P.2d 497, 498 (1986);, and see *Minton v. Board of Medical Examiners*, 110 Nev. 1060, 881 P.2d 1339 (1994), but not for any other purpose,

  
LEH

N.S.B.D.E.  
AUG 28 2004  
AL

finds there is substantial evidence Respondent, aided and abetted a person not licensed to practice dental hygiene in the State of Nevada, when Respondent allowed Kelly Stein a non-licensed hygienist to practice dental hygiene in Respondent's presence in violation of NRS 631.346(3).

3. Respondent has been made aware that NRS 631.346 states:

"The following acts, among others, constitute unprofessional conduct

3. Employing, procuring, inducing, aiding or abetting a person not licensed or registered as a dentist to engage in the practice of dentistry, but a patient shall not be deemed to be an accomplice, employer, procurer, inducer, aider or abettor;

4. Applying the administrative burden of proof of substantial evidence as set forth in *State, Emp. Security v. Hilton Hotels*, 102 Nev. 606, 608, 729 P.2d 497, 498 (1986); see also NRS 233B.135, and see *Minton v. Board of Medical Examiners*, 110 Nev. 1060, 881 P.2d 1339 (1994), see also NRS 233B.135(3)(e), but not for any other purpose, Respondent admits he unknowingly aided and abetted a person not licensed to practice dental hygiene in the State of Nevada, due to the fraud of Kelly Stein and Respondent's lack of due diligence, thereby allowing Kelly Stein a non-licensed dental hygienist to practice dental hygiene in Respondent's presence in violation of NRS 631.346(3).

5. Based upon the admission contained in paragraph four (4), Respondent agrees to the following:

a. Respondent, pursuant to NRS 631.350(1)(j), shall retake the jurisprudence test as set forth in NRS 631.240(2) on the contents and interpretation of NRS 631 and the regulations of the Board. Respondent will have sixty (60) days from receipt of the book and test to successfully complete the test. In the event Respondent fails to successfully complete the re-examination within sixty (60) days of receipt of the book and test, Respondent agrees his license to practice dentistry in the State of Nevada shall be automatically suspended without any further action of the Board other than issuance of an order by the

LEH

N.J.D.U.L. AL  
AUG 28 2007



1 Executive Director. Upon successful completion of the test, Respondent's  
2 license to practice dentistry in the State of Nevada will be automatically  
3 reinstated. Respondent agrees to waive any right to seek injunctive relief  
4 from any Federal or State of Nevada District Court to prevent the automatic  
5 suspension of Respondent's license to practice dentistry in the State of  
6 Nevada due to Respondent failure to comply with Paragraph 5(a).  
7 Respondent shall also be responsible for any costs or attorney's fees incurred  
8 in the event the Board has to seek injunctive relief to prevent Respondent  
9 from practicing dentistry during the period Respondent's license is  
10 automatically suspended.

11 b. Respondent agrees to reimburse the Board the sum of Five Hundred Dollars  
12 (\$500.00) for the costs of this investigation payable upon adoption of this  
13 Stipulation by the Board. This amount shall not be considered a fine and  
14 therefore is not reportable to the National Practitioners Data Bank.

15 c. Respondent pursuant to NRS 631.350(c) agrees to pay a fine in the amount  
16 of One Hundred Dollars (\$100.00) due to Kelly Stein's fraud upon  
17 Respondent in the hiring of Ms. Stein. This amount shall be payable upon  
18 adoption of this Stipulation by the Board. This fine shall be reportable to the  
19 National Practitioners Data Bank.

20 d. In the event Respondent fails to deliver to the Board the payment as required  
21 by Paragraph 5(b) or 5 (c), Respondent agrees his license to practice dentistry  
22 in the State of Nevada shall be automatically suspended without any further  
23 action of the Board other than the issuance of an order by the Board's  
24 Executive Director suspending Respondent's license. Respondent agrees to  
25 the payment of twenty-five dollars (\$25.00) for each day Respondent fails to  
26 deliver payment required by Paragraph 5(b) or 5(c). Respondent may cure  
27 any default regarding the payment set forth in Paragraph 5(b) or 5(c) by  
28 delivering to the Board's Executive Director the total amount in default, plus  
the Twenty-Five Dollar (\$25.00) per day assessment. Upon receipt of  
payment in full of any amount in default, plus the Twenty-Five Dollar  
(\$25.00) per day assessment, the Executive Director shall issue an Order  
reinstating Respondent's license to practice dentistry in the State of Nevada  
without any further action necessary by the Board.

29 e. Respondent agrees to waive any right to seek injunctive relief from any  
30 Federal or State of Nevada District Court to prevent the automatic suspension  
31 of Respondent's license to practice dentistry in the State of Nevada due to  
32 Respondent failure to comply with Paragraphs 5(b) or 5(c). Respondent shall  
33 also be responsible for any costs or attorney's fees incurred in the event the  
34 Board has to seek injunctive relief to prevent Respondent from practicing  
35 dentistry during the period Respondent's license is automatically suspended.

- 2 f. In the event Respondent fails to cure any default in payment within forty-five  
(45) days of the default, Respondent agrees the amount may be reduced to  
3 judgment.
- 4 g. Respondent waives any right to have the amounts owed pursuant Paragraph  
5 5(b) or 5(c) discharged in bankruptcy.
- 6 h. Respondent agrees to supply to the Board with a list of all patients and  
7 insurance companies who paid compensation to Respondent for the illegal  
8 treatments rendered by Ms. Kelly Stein during her employment with  
9 Respondent. This information shall only be used in the event the Board  
10 receives a complaint from either a patient or insurance company relating to  
11 the illegal treatments rendered by Kelly Stein.
- 12 Respondent agrees this Stipulation in no way prevents the Board from  
investigating any complaints from any patients or insurance companies in  
which Ms. Stein delivered illegal treatment.

### CONSENT

13 1. Respondent has read all of the provisions contained in this Stipulation and agrees with  
14 them in their entirety.

15 2 Respondent is aware by entering into this Stipulation he is waiving certain valuable  
16 due process rights contained in, but not limited to, NRS 631, NAC 631, NRS 233B and NAC 233B.  
17

18 3 Respondent expressly waives any right to challenge the Board for bias in deciding  
19 whether or not to adopt this Stipulation in the event this matter was to proceed to a full Board  
20 hearing.

21 4 Respondent acknowledges he has read the Stipulation. Respondent acknowledges  
22 he has been advised he has the right to have this matter reviewed by independent counsel and he  
23 has had ample opportunity to seek independent counsel. Respondent has been specifically informed  
24 he should seek independent counsel and advice of independent counsel would be in Respondent's  
25 best interest. Having been advised of his right to independent counsel, as well as had the  
26 opportunity to seek independent counsel, Respondent hereby acknowledges, by his own free  
27

28   
LEH

N.S.B.O.C.  
AUG 28 2007

  
AL

1 will, he is consenting to the Stipulation without independent counsel.

2 5. Respondent acknowledges he is consenting to this Stipulation voluntarily, without  
3 coercion or duress and in the exercise of his own free will.

4 6. Respondent acknowledges no other promises in reference to the provisions contained  
5 in this Stipulation have been made by any agent, employee, counsel or any person affiliated with the  
6 Nevada State Board of Dental Examiners.

7 7. Respondent acknowledges the provisions in this Stipulation contain the entire  
8 agreement between Respondent and the Board and the provisions of this Stipulation can only be  
9 modified, in writing, with Board approval.

10 8. Respondent agrees in the event the Board adopts this Stipulation he hereby waives  
11 any and all rights to seek judicial review or otherwise to challenge or contest the validity of the  
12 provisions contained in the Stipulation.

13 9. This Stipulation will be considered by the Board in an open meeting. It is understood  
14 and stipulated the Board is free to accept or reject the Stipulation and, if the Stipulation is rejected  
15 by the Board, further disciplinary action may be implemented. This Stipulation will only become  
16 effective when the Board has approved the same in an open meeting. Should the Board adopt this  
17 Stipulation, such adoption shall be considered a final disposition of a contested case and will become  
18 a public record.

19 10. Respondent has reviewed the Stipulation with his attorney, L. Earl Hawley, Esquire,  
20 who has explained each and every provision contained in this Stipulation to the Respondent.

21 ///

22 ///

23 ///

24  
25  
26  
27  
28  
LEH

DATED this 10TH day of December, 2004.

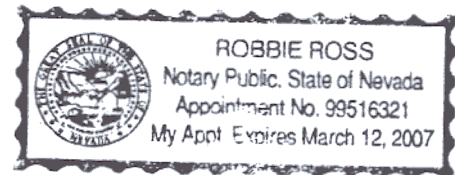
Anthony LaMancusa  
ANTHONY LaMANCUSA, D.M.D.,  
Respondent

APPROVED AS TO FORM & CONTENT

L. Earl Hawley  
L. EARL HAWLEY, ESQ.  
Attorney for Respondent

SUBSCRIBED and SWORN to before me  
this 10TH day of December, 2004

Robbie Ross  
NOTARY PUBLIC



APPROVED AS TO FORM & CONTENT

John A. Hunt  
JOHN A. HUNT, ESQUIRE  
Raleigh, Hunt & McGarry, P.C.  
Board Counsel

APPROVED AS TO FORM & CONTENT

J. Stephen Sizl  
J. STEPHEN SIZL, D.M.D.  
Disciplinary Screening Office/Informal  
Hearing Officer

The foregoing Stipulation was approved/disapproved by a vote of the Nevada State Board of Dental Examiners at a properly noticed meeting.

DATED this 15 day of Feb, 2004

NEVADA STATE BOARD OF DENTAL EXAMINERS

Tony Guillen  
TONY GUILLEN, D.D.S.  
President

LEH  
LEH

N.S.B.D.E.  
AUG 28 2007

AL  
AL

# Exhibit “2”

N S.B.D E  
AUG 28 2007



STATE OF NEVADA

BEFORE THE BOARD OF DENTAL EXAMINERS OF NEVADA

NEVADA STATE BOARD OF  
DENTAL EXAMINERS,

) Case No. 05-1195

) Complainant,

-vs-

STIPULATION

ANTHONY LaMANCUSA, D.M.D.,

)  
) Respondent.  
)

IT IS HEREBY STIPULATED AND AGREED between ANTHONY LaMANCUSA, D.M.D. (hereinafter "Respondent"), by and through his counsel, JOHN C. WAWERNA, ESQ., and the NEVADA STATE BOARD OF DENTAL EXAMINERS (hereinafter "Board") by and through its counsel, JOHN A. HUNT, ESQ. of the law firm of RALEIGH, HUNT & McGARRY, P.C., as follows

On January 26, 2005, the Respondent was notified by the Board of an authorized investigation into Respondent's prescription writing practices. On June 2, 2005, Earl L. Hawley, Esq. filed an answer to the authorized investigation on behalf of Respondent.

2 Based upon the limited investigation conducted to date, Disciplinary Screening Officer, J. Stephen Sill, D.M.D., applying the administrative burden of proof of substantial evidence as set forth in *State, Emp. Security v. Hilton Hotels*, 102 Nev. 606, 608, 729 P.2d 497, 498 (1986), and see *Minton v. Board of Medical Examiners*, 110 Nev. 1060, 881 P.2d 1339 (1994), see also NRS 233B.135(3)(e), but not for any other purpose, finds there is substantial evidence Respondent on more than one occasion violated NRS 631.3475(5), when Respondent administered a controlled substance that was not required to treat a dental patient

  
JCW

N.S.B.D.E.

  
AL

AUG 28 2007

3. Based upon the limited investigation conducted to date, Disciplinary Screening Officer, J. Stephen Sill, D.M.D., applying the administrative burden of proof of substantial evidence as set forth in *State, Emp. Security v. Hilton Hotels*, 102 Nev. 606, 608, 729 P.2d 497, 498 (1986); and see *Minton v. Board of Medical Examiners*, 110 Nev. 1060, 881 P.2d 1339 (1994), see also NRS 233B.135(3)(e), but not for any other purpose, finds there is substantial evidence Respondent on more than one occasion violated NAC 631.230(1)(b), when Respondent wrote prescriptions for controlled substances in such excessive amounts as to constitute a departure from prevailing standards of acceptable dental practice.

4. Applying the administrative burden of proof of substantial evidence as set forth in *State, Emp. Security v. Hilton Hotels*, 102 Nev. 606, 608, 729 P.2d 497, 498 (1986); and see *Minton v. Board of Medical Examiners*, 10 Nev. 1060, 881 P.2d 1339 (1994), see also NRS 233B.135(3)(e), but not for any other purpose, Respondent admits on more than one occasion, Respondent violated NRS 631.3475(5) when Respondent administered a controlled substance that was not required to treat a dental patient.

5 Applying the administrative burden of proof of substantial evidence as set forth in *State, Emp. Security v. Hilton Hotels*, 102 Nev. 606, 608, 729 P.2d 497, 498 (1986); and see *Minton v. Board of Medical Examiners*, 10 Nev. 1060, 881 P.2d 1339 (1994), see also NRS 233B.135(3)(e), but not for any other purpose, Respondent admits on more than one occasion, Respondent violated NAC 631.230(1)(b) when Respondent wrote prescriptions for controlled substances in such excessive amounts as to constitute a departure from prevailing standards of acceptable dental practice.

6. Based upon the admissions contained in Paragraphs 4 and 5, Respondent agrees to the following:

  
JCW

N.S.B.D.E.

AUG 28 2007

  
AL

- 1 a. Respondent agrees pursuant to NRS 631.350(d) and (h), Respondent shall be placed  
2 on probation for a period of three (3) years. The terms and conditions of the  
3 probation shall be reportable to the National Practitioners Data Bank. Respondent's  
4 practice shall be supervised and monitored pursuant to the following terms and  
5 conditions effective upon adoption of this Stipulation by the Board:

6 During the three (3) year probation/supervisory period, Respondent shall  
7 allow either the Executive Director of the Board and/or an agent appointed  
8 by the Board's Executive Director to inspect Respondent's records to ensure  
9 compliance with this Stipulation. Such inspections shall be performed,  
10 without notice, during normal business hours. Respondent further agrees  
11 during this period of probation and supervision, Respondent shall maintain  
12 a list of any prescriptions issued to any of Respondent's patients for  
13 controlled substances. During the probationary period Respondent shall not  
14 issue any prescription(s) for more than 12 units of a controlled substance for  
15 each office visit where treatment was rendered. All prescriptions issued by  
16 Respondent during the probationary period must be in Respondent's  
17 handwriting and must have an original signature of Respondent. During the  
18 probationary period Respondent is prohibited from placing telephone  
19 prescriptions for controlled substances. The list of prescriptions issued by  
20 Respondent's shall include the following information and shall be submitted  
21 to the Executive Director of the Board on the first day of each month during  
22 the probation period:

- 23 (a) patient's name;  
24 (b) date of issuance;  
25 (c) name of dentist who issued prescription;  
26 (d) units and amount of controlled substance issued; and  
27 (e) reason for issuing the controlled substance.

- 28 ii. In the event the Board's Executive Director has substantial evidence to  
believe Respondent has failed to comply with any of the provisions  
contained in Paragraph 6(a)(i) the Executive Director, without any further  
hearing or action by the Board, shall issue an order suspending Respondent's  
license to practice dentistry in the State of Nevada. Thereafter, Respondent  
may request a hearing before the Board but during the pendency of the  
hearing before the Board, Respondent waives any right to seek judicial  
review to reinstate his privilege to practice dentistry in the State of Nevada  
pending a final Board hearing.

- iii. In the event the Board's Executive Director has substantial evidence to  
believe Respondent has failed to comply with any of the provisions contained  
in Paragraph 6(a)(i) during the probationary period, Respondent agrees to  
surrender his License No. BL4558586 with the United States Department of  
Justice, D.E.A. for Class II, Class IIN, Class III, Class IIIN, Class IV, and

JCW

N.S.B.D.E.

AUG 28 2007

AL

1 Class V for a period of three (3) years commencing upon the date of the  
2 Order of Suspension issued by the Executive Director. At the conclusion of  
3 the three (3) year period, Respondent may apply to the United States  
Department of Justice, D.E.A. to have his License No. BL4558586 reinstated.

4 iv. In the event the Board's Executive Director has substantial evidence to  
5 believe Respondent has failed to comply with any of the provisions contained  
6 in Paragraph 6(a)(i) during the probationary period, Respondent agrees to  
7 surrender his License No. BL4558586 with the Nevada State Board of  
8 Pharmacy for Class II, Class IIN, Class III, Class IIIN, Class IV, and Class V  
9 for a period of three (3) years commencing upon the date of the Order of  
Suspension issued by the Executive Director. At the conclusion of the three  
(3) year period, Respondent may apply to the Nevada State Board of  
Pharmacy to have his License No. BV3599 reinstated.

10 v. In the event the Board's Executive Director has substantial evidence to  
11 believe Respondent has either issued or has caused to be issued prescriptions  
12 for controlled substances identified as Class II, Class IIN, Class III, Class  
13 IIIN, Class IV or Class V subsequent to surrendering his United States  
14 Department of Justice, D.E.A., License No. BL4558586 and Nevada State  
15 Board of Pharmacy, License No. BV3599 the Executive Director, without any  
16 further hearing or action by the Board, shall issue an Order revoking  
17 Respondent's license to practice dentistry in the State of Nevada. Thereafter,  
Respondent may request a hearing before the Board but during the pendency  
of the hearing before the Board, Respondent waives any right to seek judicial  
review to reinstate his privilege to practice dentistry in the State of Nevada  
pending a final Board hearing.

18 vi. During the three (3) year probation/supervisory period, Respondent shall be  
19 prohibited from the administering or having nitrous oxide present his dental  
20 practice. In the event the Board's Executive Director has substantial evidence  
21 to believe Respondent has either administered or has nitrous oxide present the  
22 Executive Director, without any further hearing or action by the Board, shall  
23 issue an Order suspending Respondent's license to practice dentistry in the  
State of Nevada. Thereafter, Respondent may request a hearing before the  
Board but during the pendency of the hearing before the Board, Respondent  
waives any right to seek judicial review to reinstate his privilege to practice  
dentistry in the State of Nevada pending a final Board hearing.

24 vii. During the three (3) year probationary period, Respondent agrees to submit  
25 to random sampling of urine and/or bodily fluids for controlled and/or non-  
26 prescribed substances when so ordered by the Executive Director of the  
27 Board. Respondent shall be responsible for all costs incurred for the analysis  
28 of urine and/or bodily fluids.

JCW

1  
2  
3  
4  
5  
6  
7  
viii. In the event any test or analysis of bodily fluids taken from Respondent, pursuant to the terms of this Stipulation, is positive, indicating the presence of controlled substances (not pursuant to a valid prescription), the Executive Director, without any further hearing or action by the Board, shall issue an Order suspending Respondent's license to practice dentistry in the State of Nevada. Thereafter, Respondent may request a hearing before the Board to reinstate Respondent's license to practice dentistry in Nevada. During the pendency of the hearing before the Board, Respondent waives any right to seek judicial review to reinstate his privilege to practice dentistry in the State of Nevada pending a final Board hearing.

8  
9  
10  
11  
12  
13  
14  
(a) In the event Respondent fails to present himself for random drug testing, within twenty-four (24) hours when ordered by the Executive Director, the Executive Director without any further hearing or action by the Board, shall issue an Order suspending Respondent's license to practice dentistry in the State of Nevada. Thereafter, Respondent may request a hearing before the Board to reinstate Respondent's license to practice dentistry in Nevada. During the pendency of the hearing before the Board, Respondent waives any right to seek judicial review to reinstate his privilege to practice dentistry in the State of Nevada pending a final Board hearing.

15  
16  
17  
18  
19  
20  
(b) Respondent authorizes reports generated by the urinalysis and/or bodily fluids testing to be furnished to the Executive Director of the Board. All reports submitted to the Executive Director of the Board shall remain confidential. However, in the event of a violation in the form of a confirmed, positive test result, all reports previously submitted to the Executive Director of the Board will be available for use by the Board in connection with any subsequent disciplinary action of the Board.

21  
22  
23  
24  
25  
26  
27  
28  
ix. Pursuant to NRS 631.350(k), in addition to completing the required continuing education, Respondent shall obtain twenty (20) additional hours in supplemental education relating to pharmacology and pain management. Ten (10) hours of the supplemental education must be completed within six (6) months of the approval of this Stipulation by the Board and the additional ten (10) hours of supplemental education must be completed within one (1) year of the approval of this Stipulation by the Board. The supplemental education must be submitted in writing to the Executive Director of the Board for approval prior to attendance. Upon receipt of a written request to attend supplemental education the Executive Director of the Board shall notify Respondent in writing whether the requested supplemental education

  
JCW



1 is approved for attendance. All costs associated with this supplemental  
2 education shall be paid by Respondent. In the event Respondent fails to  
3 complete all of the supplemental education within one (1) year, Respondent  
4 agrees his license to practice dentistry in the State of Nevada shall  
5 automatically be suspended without any further action of the Board other than  
6 the issuance of an Order by the Executive Director. Upon submitting written  
7 proof of completion of the supplemental education, Respondent's license to  
8 practice dentistry in the state of Nevada will be automatically reinstated.  
9 Respondent agrees to waive any right to seek injunctive relief from any  
10 Federal or State of Nevada District Court to prevent the automatic suspension  
11 of Respondent's license to practice dentistry in the State of Nevada due to  
12 Respondent failure to comply with Paragraph 6(a)(ix). Respondent shall also  
13 be responsible for any costs or attorney's fees incurred in the event the Board  
14 has to seek injunctive relief to prevent Respondent from practicing dentistry  
15 during the period Respondent's license is automatically suspended.

16 x. Respondent will reimburse the Board for the cost of the investigation and to  
17 monitor Respondent's practice in Nevada during the three (3) year  
18 probationary period in the amount of three thousand five hundred (\$3,500.00)  
19 dollars within thirty (30) days of the Board's adoption of this Stipulation.  
20 This amount shall not be considered a fine and therefore is not reportable to  
21 the National Practitioners Data Bank.

22 xi Respondent pursuant to NRS 631.350(c) agrees to pay a fine in the amount  
23 of five hundred (\$500.00) dollars upon adoption of this Stipulation by the  
24 Board and shall be reportable to the National Practitioners Data Bank.

25 xii In the event Respondent fails to deliver to the Board the payment as required  
26 by Paragraph 6(a)(x) or 6(a)(xi), Respondent agrees his license to practice  
27 dentistry in the State of Nevada shall be automatically suspended without  
28 any further action of the Board other than the issuance of an Order by the  
Board's Executive Director suspending Respondent's license. Respondent  
agrees to the payment of twenty-five dollars (\$25.00) for each day  
Respondent fails to deliver payment required by Paragraph 6(a)(x) or 6(a)(xi).  
Respondent may cure any default regarding the payment set forth in  
Paragraph 6a(x) or 6(a)(xi) by delivering to the Board's Executive Director  
the total amount in default, plus the Twenty-Five Dollar (\$25.00) per day  
assessment. Upon receipt of payment in full of any amount in default, plus  
the Twenty-Five Dollar (\$25.00) per day assessment, the Executive Director  
shall issue an Order reinstating Respondent's license to practice dentistry in  
the State of Nevada without any further action necessary by the Board.

xiii. - Respondent agrees to waive any right to seek injunctive relief from any  
Federal or State of Nevada District Court to prevent the suspension of  
Respondent's license to practice dentistry in the State of Nevada due to

28  
  
JCW

N.S.B.D.E.  
AUG 28 2007 AL

Respondent failure to comply with Paragraphs 6(a)(i) thru or 6(xii). Respondent shall also be responsible for any costs or attorney's fees incurred in the event the Board has to seek injunctive relief to prevent Respondent from practicing dentistry during the period Respondent's license is automatically suspended.

xiv In the event Respondent fails to cure any default in payment within forty-five (45) days of the default, Respondent agrees the amount may be reduced to judgment.

xv Respondent waives any right to have the amounts owed pursuant Paragraph 6(a)(x) or 6(a)(xi) discharged in bankruptcy.

### CONSENT

7. Respondent has read all of the provisions contained in this Stipulation and agrees with them in their entirety

8 Respondent is aware that by entering into this Stipulation he is waiving certain valuable due process rights contained in, but not limited to, NRS 631, NAC 631, NRS 233B and NAC 233B

9. Respondent expressly waives any right to challenge the Board for bias should the Board reject this Stipulation and this matter proceed to a full Board hearing.

10 Respondent has reviewed the Stipulation with his attorney, John C Wawerna, Esq., who has explained each and every provision contained in this Stipulation to the Respondent

1. Respondent acknowledges that he is consenting to this Stipulation voluntarily, without coercion or duress and in the exercise of his own free will.

12 Respondent acknowledges no other promises in reference to the provisions contained in this Stipulation have been made by any agent, employee, counsel or any person affiliated with the Nevada State Board of Dental Examiners.

  
JCW

N.S.B.D.E.  
AUG 28 2007

  
AL

1 13. Respondent acknowledges the provisions in this Stipulation contain the entire  
2 agreement between Respondent and the Board and the provisions of this Stipulation can only be  
3 modified, in writing, with Board approval  
4

5 14. Respondent agrees that in the event the Board adopts this Stipulation he hereby  
6 waives any and all rights to seek judicial review or otherwise to challenge or contest the validity of  
7 the provisions contained in the Stipulation

8 15 This Stipulation will be considered by the Board in an open meeting. It is understood  
9 and stipulated the Board is free to accept or reject the Stipulation. This Stipulation will only become  
10 effective when the Board has approved the same in an open meeting. Should the Board adopt this  
11 Stipulation, such adoption shall be considered a final disposition of a contested case and shall  
12 become a public record reportable to the National Practitioners data bank.  
13

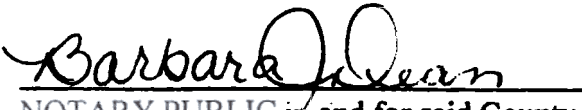
14 DATED this 12 day of August, 2005.

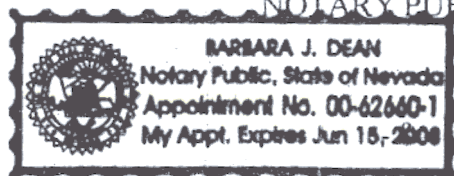
15  
16   
17 ANTHONY LaMANCUSA, D.D.S.  
Respondent

18 STATE OF NEVADA )  
19 ) ss  
20 COUNTY OF CLARK

21 ACKNOWLEDGMENT

22 On this 12 day of August, 2005, personally appeared before me, a Notary Public  
23 in and for said County and State, ANTHONY LaMANCUSA, D.M.D., known to me to be the person  
24 described in and who executed the foregoing instrument, who acknowledged to me that he executed  
25 the same freely and voluntarily.

26   
27 NOTARY PUBLIC in and for said County and State




N.S.B.D.E.

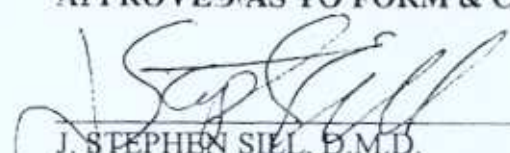
AUG 28 2007

  
AL


1  
2 APPROVED AS TO FORM & CONTENT

3  
4   
5 JOHN A. HUNT, ESQUIRE  
6 Raleigh, Hunt & McGarry, P.C.  
7 Board Counsel

APPROVED AS TO FORM & CONTENT

8   
9 J. STEPHEN SIEL, D.M.D.  
10 Disciplinary Screening Office/Informal  
11 Hearing Officer

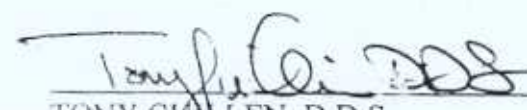
12 APPROVED AS TO FORM & CONTENT

13   
14 JOHN C. WAWERNA, ESQUIRE  
15 Attorney for Respondent

16 The foregoing Stipulation was approved/disapproved by a vote of the Nevada State Board  
17 of Dental Examiners at a properly noticed meeting.

18 DATED this 26 day of Aug, 2005.

19 NEVADA STATE BOARD OF DENTAL EXAMINERS

20   
21 TONY GILLEN, D.D.S.,  
22 President

23 S:\Eileen.H\wp51\DENTAL\LAMANCUSA\AuthInv-1154\Stipulation.wpd

24  
25  
26  
27  
28   
JCW

- 9 -

N.S.B.D.E.

AUG 28 2007

  
AL

# Exhibit “3”

N.S.B.D E  
AUG 28 2007

---



**NEVADA STATE BOARD OF DENTAL EXAMINERS**

NEVADA STATE BOARD OF  
DENTAL EXAMINERS, )

CASE NO: 06-814561.S

Complainant,

vs. )

**ORDER OF SUSPENSION**

Anthony LaMancusa, DMD )

Respondent, )

---

On November 16, 2006, the Nevada State Board of Dental Examiners received substantial evidence that on more than one occasion respondent issued prescriptions for more than 12 units of a controlled substance for a patient in violation of Paragraph 6(a)(i) of respondent's Stipulation Agreement with this board, Case No. 05-1195 and approved August 26, 2005. In addition, respondent has failed to submit the list of prescriptions issued by respondent on the first day of each month and with the required details of information pursuant to Paragraph 6(a)(i) of the Stipulation Agreement. Further, the Nevada State Board of Dental Examiners has received substantial evidence that respondent's dental practice has nitrous oxide-oxygen present in violation of Paragraph 6(a)(vi) pursuant to the Stipulation Agreement.


Therefore, pursuant to paragraph 6(a)(ii) of respondent's Stipulation Agreement, effective immediately respondent's license is suspended. Respondent shall cease and desist from practicing dentistry in the State of Nevada. Should respondent practice dentistry in the State of Nevada, such actions would be deemed as the illegal practice of dentistry as set forth by NRS 631.395 and punishable criminally to the provisions of NRS 631.400.

Pursuant to paragraph 6(a)(iii) of respondent's stipulation agreement, respondent must surrender his License No. BL4558586 with the United States Department of Justice, DEA for Class II, Class IIN, Class III, Class IIIN, Class IV, and Class V for a period of three (3) years commencing upon the date of this Order of Suspension. In addition, pursuant to Paragraph 6(a)(iv) of respondent's Stipulation Agreement, respondent must surrender his License No. BL4558586 with the Nevada State Board of Pharmacy for Class II, Class IIN, Class III, Class IIIN, Class IV, and Class V for a period of three (3) years commencing upon the date of this Order of Suspension.

Respondent may, pursuant to paragraph 6(a)(ii) of his Stipulation Agreement, request a hearing before the Board regarding reinstatement of his privilege to practice dentistry in the State of Nevada. Such request must be submitted in writing and may be acted upon at the next regularly scheduled meeting of the Board.

DATED this 17th day of November, 2006

NEVADA STATE BOARD OF DENTAL EXAMINERS



KATHLEEN J. KELLY, EXECUTIVE DIRECTOR

**N.S.B.D.E.**

AUG 28 2007

# Exhibit “4”

N.S.B.D.E  
AUG 8 2007

BEFORE THE NEVADA STATE BOARD OF DENTAL EXAMINERS

NEVADA STATE BOARD OF  
DENTAL EXAMINERS,

Complainant,

vs.

ANTHONY LAMANCUSA, D.M.D.

Respondent.

CASE NO: 07-1434

NOTICE OF ENTRY OF FINDINGS OF FACT,  
CONCLUSIONS OF LAW, AND DECISION  
(re: Hearing on Respondent's Petition to Reinstate License)

TO: ANTHONY LAMANCUSA, D.D.S. by and through his counsel of record, HENRY  
H. RAWLINGS, JR., ESQ., of the law office of LEWIS & ASSOCIATES:


YOU, AND EACH OF YOU, WILL PLEASE TAKE NOTICE that the Findings of

Fact, Conclusions of Law, and Decision was entered in the above-entitled matter on January

20, 2007, a copy of which is attached hereto.

DATED this 19<sup>th</sup> day of March, 2007.

WINNER, HUNT & CARSON, P.C.

  
JOHN A. HUNT, ESQUIRE

**CERTIFICATE OF MAILING**

The undersigned, an employee of WINNER, HUNT & CARSON, P.C., hereby  
certifies that on the 19 day of March, 2007, I deposited in the U.S. Mail, via U.S.  
Regular Mail, a true and correct copy of the Notice of Entry of Findings of Fact,  
Conclusions of Law, and Decision and Order addressed as follows:

Henry H. Rawlings, Jr.  
LEWIS & ASSOCIATES  
500 S. Rancho Drive, #7  
Las Vegas, NV 89106  
(702) 870-5571  
Attorney for Respondent  
ANTHONY LaMANCUSA, D.M.D.



An employee of Winner, Hunt & Carson, P.C.

N.S.B.D.  
AUG 28 2007

1 BEFORE THE NEVADA STATE BOARD OF DENTAL EXAMINERS

2  
3 NEVADA STATE BOARD OF  
4 DENTAL EXAMINERS,

CASE NO: 05-1195

5 Complainant

6 vs

7 ANTHONY LaMANCUSA, D.M.D

8 Respondent.  
9

10 **FINDINGS OF FACT, CONCLUSIONS OF LAW, AND DECISION**  
11 (re: Hearing on Respondent's Petition to Reinstate License)

12 WHEREAS, on January 20, 2007, at 10:45 a.m., at a properly notice meeting the Nevada  
13 State Board of Dental Examiners (hereinafter referred to as the "Board") held a hearing relative  
14 to Respondent's Petition to Reinstate his license filed with the Board on November 28, 2006  
15 (hereinafter sometimes referred to as Respondent's "Petition") The Board hereby issues the  
16 following Findings of Fact, Conclusion of Law, and Decision (hereinafter sometimes referred  
17 to as "Order"

18  
19 **INTRODUCTION/GENERAL MATTERS**

20 A Board members present were: Shari G. Peterson, R.D.H., M.Ed.; Bonnie Bryan; William  
21 G. Pappas, D.D.S.; Tony Guillen, D.D.S.; Michael C. Lloyd, D.D.S.; William O'Gara,  
22 D.D.S.; Joel T. Glover, D.D.S.; Rosanne Matthews, R.D.H.; Kathleen J. Kelly, Executive  
23 Director; Debra Shaffer, Deputy Executive Director; Stephen Sill, D.M.D. and James  
24



1 "Tuko" McKernan, R.D. John A. Hunt, Esq. of the law firm Winner, Hunt & Carson,  
2 P.C. was present and appeared as prosecutor for the Board. Cameron P. Vanderberg,  
3 Deputy Attorney General, was present and appeared as counsel for the Board.  
4 Respondent, Anthony LaMancusa, D.M.D., (hereinafter "Respondent" or "Dr.  
5 LaMancusa"), was present with his counsel of record, Henry H. Rawlings, Jr., Esq. of  
6 the law firm Lewis and Associates, LLC.

7  
8 B During the course of the hearing the following individuals were sworn and gave  
9 testimony: Anthony J. LaMancusa, Tammy Kitchens, and Debra Shaffer. The Board  
10 offered the following exhibits which were, without objection by Dr. LaMancusa,  
11 admitted  
12

13 Stipulation between Nevada State Board of Dental Examiners and  
14 Anthony LaMancusa dated January 15, 2005 (re: case no. 04-1109;  
NSBDE v. LaMancusa).

15 2 Stipulation between Nevada State Board of Dental Examiners and  
16 Anthony LaMancusa dated August 26, 2005 (re: case no. 04-1195;  
NSBDE v. LaMancusa).

17 3 Order of Suspension dated November 17, 2006 (re: case no. 06-814561.S;  
18 NSBDE v. LaMancusa).

19 4 Document entitled "Rx Slips for Horizon Park Dental, submitted by  
Anthony LaMancusa, D.M.D."

20 5 Prescription logs submitted by Anthony LaMancusa.

21 6 Affidavit of David Gonzalez (re: case no. 04-1195; NSBDE v.  
22 LaMancusa).

23 7 Subpoena Duces Tecum (re: case no. 04-1195; NSBDE v. LaMancusa).

24 8 Patient Records 1 through 9.

FINDINGS OF FACT

A T h. d the  
une f pear finds the fo  
ib: d- see N R. )  
The d m f the f Ch. f the N  
6 R N R 9  
D L. me h rei the C  
C k of No the of m. ty h  
0 rrv f the U ry mpe  
3 T Board persi N d ke or ts  
ts the 'Ne sai the me  
ldi m' art.F of ts  
d h- imbe L.  
ry 9'  
R pot h d the fe omi h- he  
di di f d  
O J: ary 00 A the R  
dm pe  
f f No he f K.  
R po f di the K.  
de h- hy R  
f N R 3 -60

NSBDE  
AUG 2007

1 6. Based upon the Stipulation adopted by the Board on January 5, 2004,

2 Respondent agreed to the following pertinent provisions:

- 3 a. Respondent, pursuant to NRS 631.350(1)(j), agreed to retake the  
4 jurisprudence test as set forth in NRS 631.240(2) on the contents and  
5 interpretation of NRS 631 and the regulations of the Board. Respondent  
6 agreed within sixty (60) days from receipt of the book and test to  
7 successfully complete the test. In the event Respondent failed to  
8 successfully complete the re-examination within sixty (60) days of receipt  
9 of the book and test, Respondent agreed his license to practice dentistry  
10 in the State of Nevada would be automatically suspended without any  
11 further action of the Board other than issuance of an order by the  
12 Executive Director. Upon successful completion of the test, Respondent's  
13 license to practice dentistry in the State of Nevada would be automatically  
14 reinstated. Respondent agreed to waive any right to seek injunctive relief  
15 from any Federal or State of Nevada District Court to prevent the  
16 automatic suspension of Respondent's license to practice dentistry in the  
17 State of Nevada due to Respondent failure to comply. Respondent shall  
18 also agreed to be responsible for any costs or attorney's fees incurred in  
19 the event the Board had to seek injunctive relief to prevent Respondent  
20 from practicing dentistry during the period Respondent's license was  
21 automatically suspended.
- 22 b. Respondent agreed to reimburse the Board the sum of Five Hundred  
23 Dollars (\$500.00) for the costs of this investigation payable upon adoption  
24 of the January 15, 2005 Stipulation by the Board. That amount was not to  
be considered a fine and therefore was not reportable to the National  
Practitioners Data Bank.
- c. Respondent pursuant to NRS 631.350(c) agreed to pay a fine in the  
amount of One Hundred Dollars (\$100.00) due to Kelly Stein's fraud upon  
Respondent in the hiring of Ms. Stein. That amount was payable upon  
adoption of the January 15, 2005 Stipulation by the Board. The fine was  
reportable to the National Practitioners Data Bank.
- d. In the event Respondent failed to deliver to the Board the payment as  
required Respondent agreed his license to practice dentistry in the State  
of Nevada shall be automatically suspended without any further action of  
the Board other than the issuance of an order by the Board's Executive  
Director suspending Respondent's license. Respondent agreed to the  
payment of twenty-five dollars (\$25.00) for each day Respondent fails to  
deliver payment required. Respondent was allowed to cure any defaulted  
payment by delivering to the Board's Executive Director the total amount

in default, plus the Twenty-Five Dollar (\$25.00) per day assessment. Upon receipt of payment in full of any amount in default, plus the Twenty-Five Dollar (\$25.00) per day assessment, the Executive Director was required to issue an Order reinstating Respondent's license to practice dentistry in the State of Nevada without any further action necessary by the Board.

- e Respondent agreed to waive any right to seek injunctive relief from any Federal or State of Nevada District Court to prevent the automatic suspension of Respondent's license to practice dentistry in the State of Nevada due to Respondent failure to comply with the Stipulation adopted on January 15, 2005. Respondent also agreed to be responsible for any costs or attorney's fees incurred in the event the Board was required to seek injunctive relief to prevent Respondent from practicing dentistry during the period Respondent's license was automatically suspended.

In the event Respondent failed to cure any default in payment within forty-five (45) days of the default, Respondent agreed the amount could be reduced to judgment.

- g Respondent waived any right to have the amounts owed discharged in bankruptcy.

- h Respondent agreed to supply to the Board with a list of all patients and insurance companies who paid compensation to Respondent for the illegal treatments rendered by Ms. Kelly Stein during her employment with Respondent. This information would only be used in the event the Board receives a complaint from either a patient or insurance company relating to the illegal treatments rendered by Kelly Stein.

Respondent agreed the Stipulation adopted on January 15, 2005 in no way prevented the Board from investigating any complaints from any patients or insurance companies in which Ms. Stein delivered illegal treatment.

7. On August 5, 2005, the Board adopted a second Stipulation wherein Respondent admitted the following

- a. On more than one occasion, Respondent violated NRS 631.3475(5) when Respondent administered a controlled substance that was not required to treat a dental patient.
- b. On more than one occasion, Respondent violated NAC 631.230(1)(b) when Respondent wrote prescriptions for controlled substances in such

excessive amounts as to constitute a departure from prevailing standards of acceptable dental practice.

8. Based upon the second Stipulation adopted by the Board on August 26, 2005.

Respondent agreed to the following pertinent provisions:

a. Respondent agreed pursuant to NRS 631.350(d) and (h), to being placed on probation for a period of three (3) years. The terms and conditions of the probation was reported to the National Practitioners Data Bank. Respondent's practice was supervised and monitored pursuant to the following terms and conditions effective upon adoption of this Stipulation by the Board:

i. During the three (3) year probation/supervisory period, Respondent was required to allow either the Executive Director of the Board and/or an agent appointed by the Board's Executive Director to inspect Respondent's records to ensure compliance with the second Stipulation. Such inspections were to be performed, without notice, during normal business hours. Respondent further agreed during the period of probation and supervision, Respondent would maintain a list of any prescriptions issued to any of Respondent's patients for controlled substances. During the probationary period Respondent would not issue any prescription(s) for more than 12 units of a controlled substance for each office visit where treatment was rendered. All prescriptions issued by Respondent during the probationary period were to be in Respondent's handwriting and must have an original signature of Respondent. During the probationary period Respondent was prohibited from placing telephone prescriptions for controlled substances. The list of prescriptions issued by Respondent's would include the following information and was to be submitted to the Executive Director of the Board on the first day of each month during the probation period:

- (a) patient's name;
- (b) date of issuance;
- (c) name of dentist who issued prescription;
- (d) units and amount of controlled substance issued; and
- (e) reason for issuing the controlled substance.

ii. In the event the Board's Executive Director received substantial evidence to believe Respondent had failed to comply with any of the provisions contained in Paragraph 8(a)(i) above, the Executive

**N.S.D.D.E.**

AUG 28 2007



Director, without any further hearing or action by the Board, would issue an order suspending Respondent's license to practice dentistry in the State of Nevada. Thereafter, Respondent was allowed to request a hearing before the Board but during the pendency of the hearing before the Board, Respondent waived any right to seek judicial review to reinstate his privilege to practice dentistry in the State of Nevada pending a final Board hearing.

iii In the event the Board's Executive Director received substantial evidence to believe Respondent had failed to comply with any of the provisions contained in Paragraph 8(a)(i) above during the probationary period, Respondent agreed to surrender his License No. BL4558586 with the United States Department of Justice, D.E.A. for Class II, Class IIN, Class III, Class IIIN, Class IV, and Class V for a period of three (3) years commencing upon the date of the Order of Suspension issued by the Executive Director. At the conclusion of the three (3) year period, Respondent could apply to the United States Department of Justice, D.E.A. to have his License No. BL4558586 reinstated.

iv In the event the Board's Executive Director received substantial evidence to believe Respondent has failed to comply with any of the provisions contained in Paragraph 8(a)(i) above during the probationary period, Respondent agreed to surrender his License No. BL4558586 with the Nevada State Board of Pharmacy for Class II, Class IIN, Class III, Class IIIN, Class IV, and Class V for a period of three (3) years commencing upon the date of the Order of Suspension issued by the Executive Director. At the conclusion of the three (3) year period, Respondent may apply to the Nevada State Board of Pharmacy to have his License No. BV3599 reinstated.

v In the event the Board's Executive Director received substantial evidence to believe Respondent had either issued or has caused to be issued prescriptions for controlled substances identified as Class II, Class IIN, Class III, Class IIIN, Class IV or Class V subsequent to surrendering his United States Department of Justice, D.E.A., License No. BL4558586 and Nevada State Board of Pharmacy, License No. BV3599 the Executive Director, without any further hearing or action by the Board, would issue an Order revoking Respondent's license to practice dentistry in the State of Nevada. Thereafter, Respondent could request a hearing before the Board but during the pendency of the hearing before the Board.

1 Respondent waived any right to seek judicial review to reinstate his  
2 privilege to practice dentistry in the State of Nevada pending a final  
Board hearing.

3 vi. During the three (3) year probation/supervisory period, Respondent  
4 was be prohibited from the administering or having nitrous oxide  
5 present his dental practice. In the event the Board's Executive  
6 Director received substantial evidence to believe Respondent had  
7 either administered or had nitrous oxide present the Executive  
8 Director, without any further hearing or action by the Board, would  
9 issue an Order suspending Respondent's license to practice  
dentistry in the State of Nevada. Thereafter, Respondent may  
request a hearing before the Board but during the pendency of the  
hearing before the Board, Respondent waived any right to seek  
judicial review to reinstate his privilege to practice dentistry in the  
State of Nevada pending a final Board hearing.

10 vii During the three (3) year probationary period, Respondent agreed  
11 to submit to random sampling of urine, hair and/or bodily fluids for  
12 controlled and/or non-prescribed substances when so ordered by  
the Executive Director of the Board. Respondent agreed to be  
13 responsible for all costs incurred for the analysis of urine and/or  
bodily fluids.

14 viii In the event any test or analysis of bodily fluids taken from  
15 Respondent, pursuant to the terms of second Stipulation, were  
16 positive, indicating the presence of controlled substances (not  
17 pursuant to a valid prescription), the Executive Director, without  
any further hearing or action by the Board, would issue an Order  
suspending Respondent's license to practice dentistry in the State  
of Nevada. Thereafter, Respondent may request a hearing before  
the Board to reinstate Respondent's license to practice dentistry in  
18 Nevada. During the pendency of the hearing before the Board,  
Respondent waived any right to seek judicial review to reinstate his  
19 privilege to practice dentistry in the State of Nevada pending a final  
Board hearing.

20  
21 (a) In the event Respondent failed to present himself for  
22 random drug testing, within twenty-four (24) hours when  
23 ordered by the Executive Director, the Executive Director  
without any further hearing or action by the Board, would  
24 issue an Order suspending Respondent's license to practice  
dentistry in the State of Nevada. Thereafter, Respondent

**N.S.D.D.L.**

1 was allowed to request a hearing before the Board to  
2 reinstate Respondent's license to practice dentistry in  
3 Nevada. During the pendency of the hearing before the  
4 Board, Respondent waived any right to seek judicial review  
5 to reinstate his privilege to practice dentistry in the State of  
6 Nevada pending a final Board hearing.

7 (b) Respondent authorized reports generated by the urinalysis  
8 and or bodily fluids testing to be furnished to the Executive  
9 Director of the Board. All reports submitted to the  
10 Executive Director of the Board would remain confidential.  
11 However, in the event of a violation in the form of a  
12 confirmed, positive test result, all reports previously  
13 submitted to the Executive Director of the Board will be  
14 available for use by the Board in connection with any  
15 subsequent disciplinary action of the Board.

16 IX. Pursuant to NRS 631.350(k), in addition to completing the required  
17 continuing education, Respondent was required to obtain twenty  
18 (20) additional hours in supplemental education relating to  
19 pharmacology and pain management. Ten (10) hours of the  
20 supplemental education must be completed within six (6) months  
21 of the approval of this Stipulation by the Board and the additional  
22 ten (10) hours of supplemental education must have been  
23 completed within one (1) year of the approval of the second  
24 Stipulation by the Board. The supplemental education must have  
been submitted in writing to the Executive Director of the Board  
for approval prior to attendance. Upon receipt of a written request  
to attend supplemental education the Executive Director of the  
Board would notify Respondent in writing whether the requested  
supplemental education is approved for attendance. All costs  
associated with this supplemental education was to be paid by  
Respondent. In the event Respondent failed to complete all of the  
supplemental education within one (1) year, Respondent agreed his  
license to practice dentistry in the State of Nevada would be  
automatically be suspended without any further action of the Board  
other than the issuance of an Order by the Executive Director.  
Upon submitting written proof of completion of the supplemental  
education, Respondent's license to practice dentistry in the state of  
Nevada will be automatically reinstated. Respondent agreed to  
waive any right to seek injunctive relief from any Federal or State  
of Nevada District Court to prevent the automatic suspension of  
Respondent's license to practice dentistry in the State of Nevada

2 due to Respondent failure to comply with Paragraph 8(a)(ix).  
3 Respondent shall also be responsible for any costs or attorney's  
4 fees incurred in the event the Board has to seek injunctive relief to  
5 prevent Respondent from practicing dentistry during the period  
6 Respondent's license is automatically suspended.

7  
8 x. Respondent agreed to reimburse the Board for the cost of the  
9 investigation and to monitor Respondent's practice in Nevada  
10 during the three (3) year probationary period in the amount of three  
11 thousand five hundred (\$3,500.00) dollars which was to be paid  
12 within thirty (30) days of the Board's adoption of this second  
13 Stipulation. The amount was not be considered a fine and therefore  
14 was not reportable to the National Practitioners Data Bank.

15  
16 xi. Respondent pursuant to NRS 631.350(c) agreed to pay a fine in the  
17 amount of five hundred (\$500.00) dollars upon adoption of the  
18 second Stipulation by the Board and therefore was reportable to  
19 the National Practitioners Data Bank.

20  
21 xii In the event Respondent failed to deliver to the Board the payment  
22 as required by Paragraph 8(a)(x) or 8(a)(xi), Respondent agreed his  
23 license to practice dentistry in the State of Nevada would be  
24 automatically suspended without any further action of the Board  
other than the issuance of an Order by the Board's Executive  
Director suspending Respondent's license. Respondent agreed to  
the payment of twenty-five dollars (\$25.00) for each day  
Respondent failed to deliver payment required by Paragraph 8(a)(x)  
or 8(a)(xi). Respondent was allowed to cure any default regarding  
the payment set forth in Paragraph 8a(x) or 8(a)(xi) by delivering  
to the Board's Executive Director the total amount in default, plus  
the Twenty-Five Dollar (\$25.00) per day assessment. Upon receipt  
of payment in full of any amount in default, plus the Twenty-Five  
Dollar (\$25.00) per day assessment, the Executive Director would  
issue an Order reinstating Respondent's license to practice  
dentistry in the State of Nevada without any further action  
necessary by the Board.

xiii. Respondent agreed to waive any right to seek injunctive relief from  
any Federal or State of Nevada District Court to prevent the  
suspension of Respondent's license to practice dentistry in the State  
of Nevada due to Respondent failure to comply with Paragraphs  
8(a)(i) thru or 8(xii). Respondent was also responsible for any costs  
or attorney's fees incurred in the event the Board has to seek

injunctive relief to prevent Respondent from practicing dentistry during the period Respondent's license was automatically suspended.

xiv In the event Respondent failed to cure any default in payment within forty-five (45) days of the default, Respondent agreed the amount may be reduced to judgment.

xv Respondent waived any right to have the amounts owed pursuant Paragraph 8(a)(x) or 8(a)(xi) discharged in bankruptcy.

9 On November 7, 2006, Kathleen J. Kelly, Executive Director of the Board issued an Order of Suspension stating she had received substantial evidence of the following:

a. Respondent on more than one occasion issued prescriptions for more than 12 units of a controlled substance for a patient in violation of Paragraph 6(a)(i) of the second Stipulation adopted by the Board on August 26, 2005.

b. Respondent failed to submit the list of prescriptions issued by Respondent on the first day of each month with the required details of information pursuant to Paragraph 6(a)(i) of the second Stipulation adopted by the Board on August 26, 2005.

c. Respondent was aware that nitrous oxide-oxygen was present where he practiced dentistry in violation of Paragraph 6(a)(vi) of the second Stipulation adopted by the Board on August 26, 2005.

d. As a result of the violations cited above Executive Director Kelly issued the following orders:

i. Respondent's license was suspended effective immediately

ii. Respondent had to surrender his prescription License No. BL4558586 with United States Department of Justice, DEA for a period of three (3) years effective on the date of the Order of Suspension.

iii Respondent had to surrender his prescription License No. BL4558586 with the Nevada State Board of Pharmacy for a period



h:

O-d

O      b:

orm:

sq      ft

Re      ide:      pi

### CONCLUSIONS OF LAW

A. H.      f id      f      th      p

(see N.R.      3      ask: the fo)

Re      ed      (p:      m:      th:

id      are rap      )(

id      B: id      A:

R      id      f

f      f ea      id      f

P:      (p:      ed by th      ed

R:      id: xy      th:      p:

)

id      A:

V  
ORDER

A      H:      f      id b:

F

d C:

N 5

AUG 8 1977

03/06/2007 11:39 FAX 702 471 0110

WINNER HUNT CARSON

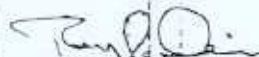
0014 011

1 forth herein.

- 2 1. **IT IS HEREBY ORDERED** Respondent's license to practice dentistry in the  
3 State of Nevada is reinstated subject to Respondent not practicing dentistry in the  
4 State of Nevada until such time as a Stipulation is agreed upon by the Respondent  
5 and approved and adopted by the Board.
- 6 2. **IT IS FURTHER ORDERED** in the event the Respondent and the Disciplinary  
7 Screening Officer cannot agree to the terms and conditions of a Stipulation, either  
8 party can request the Board reconvene to enter terms and conditions which would  
9 allow the Respondent to recommence the practice of dentistry in the State of  
10 Nevada.

11 Dated this 20<sup>th</sup> day of JANUARY, 2007.

12 NEVADA STATE BOARD OF DENTAL EXAMINERS

13 

14 TONY GILLEN, D.D.S.  
15 PRESIDENT