

STATE OF RHODE ISLAND  
AND PROVIDENCE PLANTATIONS

DEPARTMENT OF HEALTH :  
HEALTH SERVICES REGULATION :  
BOARD OF EXAMINERS IN DENTISTRY :

vs. :

GARY ANUSAVICE, DDS :  
D/B/A PREMIER DENTAL :

A.H. FILE NO. (DB) 2005-33  
PC 05-5724

CONSENT ORDER

Pursuant to Rhode Island General Laws (2001 Reenactment) Section 5-31.1-1 et seq. and the Rules and Regulations promulgated thereunder, the Department of Health Board of Examiners in Dentistry (hereinafter "Department") has investigated a complaint alleging Gary Anusavice, DDS (hereinafter "Respondent"), with a violation of Chapter 5-31.10 and of the Rules and Regulations.

After consideration by the Department, the following constitutes the Findings of Fact with respect to the professional performance of the Respondent:

1. Respondent is a dentist licensed to practice dentistry in the State of Rhode Island.<sup>1</sup>
2. That at all pertinent times Respondent was self employed as a dentist doing business as Premier Dental at 451 Broadway, Pawtucket, RI.
3. The Department has alleged that the Respondent also employed other dentists at his D/B/A which is not a licensed entity.
4. The Department has alleged that the Respondent, through his D/B/A has engaged in activities amounting to fraud, including but not limited to, providing unwanted dental services to patients, credit card fraud, a bait and switch scheme with regard to dental services, billing patients for services not delivered, deceiving patients with respect to credit that Respondent arranged for them, refusing to respond to patients' repeated requests for care, refusing to provide patients with copies of their medical records, and other activities prohibited by statute.

The Respondent neither admits nor denies the above allegations.

The parties agree as follows:

1. Respondent is a dentist licensed to practice dentistry in the State of Rhode Island.
2. Respondent admits to the jurisdiction of the Department and hereby agrees to remain under the jurisdiction of the Department for all matters contained herein.
3. Respondent hereby acknowledges and waives:
  - a) The right to appear personally or by counsel or both before the Department;
  - b) The right to produce witnesses and present evidence in his behalf at a hearing;
  - c) The right to cross-examine witnesses;
  - d) The right to have subpoenas issued by the Department;
  - e) The right to further procedural steps except for those specifically contained herein;
  - f) Any and all rights of appeal of this Consent Order.
4. This Consent Order shall become part of the public record of this proceeding once it is accepted by all the parties.
5. The Respondent shall voluntarily agree to refrain from practicing dentistry and refrain from owning and/or operating any D/B/A, corporation, partnership, facility or other entity engaged in the practice of dentistry within the State of Rhode Island for an eighteen (18) month period commencing January 1, 2006.
6. The Respondent, for himself and on behalf of Premier Dental, shall not accept any new patients as of the date of the signing of this Consent Order.
7. The Respondent, for himself and on behalf of Premier Dental, shall neither accept nor process any new credit card applications or credit approvals for patients as of the date of the signing of this Consent Order.

<sup>1</sup> Respondent's license expired on June 30, 2005. As a result of Respondent's failure to renew his license, said license is currently in a lapsed status.

8. The Respondent, for himself and on behalf of Premier Dental, shall cease and desist all advertising for dental services as of the date of the signing of this Consent Order.
9. The Respondent shall close down the entity known as Premier Dental as of close of business on December 31, 2005.
10. That upon expiration of the eighteen (18) month period commencing January 1, 2006 during which time the Respondent agrees not to practice dentistry in this state, the Respondent may resume the practice of dentistry subject to a probationary period as set forth below.
11. Upon resuming the practice of dentistry, the Respondent's license shall be subject to a probation period of eighteen (18) months.
12. That said probationary period shall commence upon the date that Respondent resumes the practice of dentistry in this state and will abate for the duration of any period in which Respondent ceases work as a dentist. Upon resuming the practice of dentistry, Respondent shall notify the Department as to the name and address of his practice and the date he commenced practice, and whether the practice is that of a sole practitioner, professional corporation, facility or other entity.
13. That during the period of probation, Respondent shall submit to the Department quarterly reports detailing the conduct of his practice, number of patients and the names of other licensed professionals employed there. If the Respondent is employed by another dentist or entity practicing dentistry, Respondent's employer shall submit quarterly reports of Respondent's performance.
14. That during the period of probation Respondent shall notify the Department forthwith of any changes in his employment, including the name and address of the new employer(s) and the reason for said change.
15. That should Respondent comply with the laws and regulations governing the practice of dentistry during the period of probation and comply with the requirements of this Consent Order, he may apply to the Department for an unrestricted license to practice as a dentist.

- 16. That should Respondent fail to comply with the terms of this Order, his license as a dentist shall be subject to suspension or other appropriate disciplinary actions. This Consent Order applies only to those matters occurring prior to the date of the signing hereof and Respondent's license may be disciplined for future infractions of the law and/or regulations.
- 17. That this Consent Order shall remain in full force and effect pending order of the Board.
- 18. As a result of the execution of this Consent Order, Superior Court Case No. 05-5724 may be dismissed with prejudice.

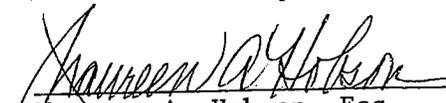
  
 Gary Anusavice, DDS

  
 David R. Gifford, MD, MPH  
 Director of Health

  
 William J. Lynch, Esq. (2817)  
 Attorney for Respondent

  
 Charles Alexandre, MSN, RN  
 Chief of the Office of Health Professions  
 Regulation, for the Board of  
 Examiners in Dentistry

Dated: Nov. 9, 2005

  
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