BEFORE THE BOARD OF DENTAL EXAMINERS

DEPARTMENT OF CONSUMER AFFAIRS

STATE OF CALIFORNIA

IN THE MATTER OF THE ACCUSATION AGAINST:

RALPH LANDERMAN, D.D.S.
PINECREST MEDICAL PLAZA
7064 CORLINE COURT, SUITE C-1
SEBASTOPOL, CA 95472

) ) ) ) ) ) ) ) AGN 1985-12

RESPONDENT.

ORDER

THE ATTACHED STIPULATION WAS ADOPTED BY THE BOARD OF DENTAL EXAMINERS IN THE ABOVE ENTITLED MATTER.

THIS DECISION SHALL BECOME EFFECTIVE ON AUGUST 30, 1987.

IT IS SO ORDERED ON JULY 30, 1987.

JACK M. SAROYAN, D.D.S.
PRESIDENT
BOARD OF DENTAL EXAMINERS
BEFORE THE
BOARD OF DENTAL EXAMINERS
DEPARTMENT OF CONSUMER AFFAIRS
STATE OF CALIFORNIA

In the Matter of the Accusation
Against:

RALPH ANDREW LANDERMAN, D.D.S.
Pinecrest Medical Plaza
7064 Corline Court, Suite C-1
Sebastopol, California 95472
License No. DD 19761

Respondent.

IT IS HEREBY STIPULATED AND AGREED by and between the parties to the above-entitled matter as follows:

1. At the time of executing and filing the accusation in the above matter, complainant, Georgetta Coleman, was the Executive Officer of the Board of Dental Examiners of the State of California (hereinafter the "Board") and performed said acts solely in her official capacity as such.

3. Ralph Andrew Landerman, D.D.S. (hereinafter "respondent"), is represented by Dennis M. Warren, Esq., of the Law Offices Of Dennis M. Warren, A Professional Corporation. Respondent has retained Dennis M. Warren, Esq. as his attorney in regard to the administrative action herein and respondent has counseled with Dennis M. Warren, Esq. concerning the effect of this stipulation, which respondent has carefully read and which he fully understands.

4. Respondent has received and read the accusation which is presently on file and pending in case number AGN 1985-12 before the Board.

5. Respondent understands the nature of the charges alleged in the above mentioned accusation and that said charges and allegations would constitute cause for imposing discipline upon respondent's dental certificate heretofore issued by the Board.

6. Respondent and his counsel are aware of each of respondent's rights, including the right to a hearing on the charges and allegations; respondent's right to confront and cross-examine witnesses who would testify against him; respondent's right to present evidence in his favor or to call witnesses in his behalf, or to so testify himself; respondent's right to contest the charges and allegations and any other rights which may be accorded him pursuant to the California Administrative Procedure Act (Gov. Code, §11500 et seq.); his right to reconsideration, appeal to superior court and to any other or further appeal; respondent understands that in signing this stipulation rather than contesting the accusation, he is
enabling the Board to impose disciplinary action upon his
license upon this stipulation without further process.

7. Respondent freely and voluntarily waives his
rights to a hearing, reconsideration, appeal and any and all
other rights set forth herein above and in the California
Administrative Procedure Act and the Code of Civil Procedure.

8. The facts and allegations contained in accusation
No. AGN 1985-12 are neither affirmed nor denied and this
stipulation is entered into solely for the purposes of
settlement of said accusation No. AGN 1985-12. Respondent
understands and agrees that by signing this stipulation rather
than contesting the accusation, he is enabling the Board to
impose discipline on his license based upon this stipulation
without further process and further understands that the facts
and allegations upon which the accusation are based, the
determination of legal issues, and the imposed penalty, will be
deemed as admitted true and final in this and any future
disciplinary or reinstatement action before the Board and in any
appeal concerning such action to any state or federal court,
should such action arise.

9. Based upon the foregoing stipulation and solely
for purposes of settlement of accusation number AGN 1985-12, as
set forth herein above in paragraph 8, the Board may find and
determine that cause for disciplinary action has been
established pursuant to Business and Professions Code
Section 1670 as specified in paragraph 5 through
paragraph 6(B)(16) on pages 3 through 16 of the accusation
number AGN 1985-12.

3.
10. Based upon all of the foregoing stipulations and recitals, it is stipulated and agreed that the Board may issue a decision upon this stipulation whereby:

A. Dental certificate number DD 19761 heretofore issued to respondent Ralph Andrew Landerman, D.D.S., is hereby revoked; provided, however, said revocation is stayed and respondent is placed on probation for a period of five (5) years on the following conditions:

FIVE-MONTH SUSPENSION

(1) As part of probation, respondent is suspended from the practice of dentistry for a period of five (5) months beginning October 1, 1987 or on the effective date of this decision, whichever is later. Respondent may, however, during said period of suspension, perform dental procedures to the extent that may be required in the remedial education program and examination described in this stipulation herein below.

REMEDIAL EDUCATION

(2) Within 60 days of the effective date of this decision, respondent shall submit to the Board for its prior approval a remedial education program in Dental Ethics that is acceptable to the Board; provided, however, that the Board shall have a reasonable amount of time beyond said 60 days in order to determine whether said program is acceptable. Said remedial education program shall include a review of oral diagnoses and treatment planning. Prior to resuming any aspect of the practice of dentistry after said suspension, respondent shall take and pass said remedial education program and may, at the
Board's sole discretion, be required to take and pass an oral examination to be administered by the Board in Dental Ethics, to include Oral Diagnoses and Treatment Planning. In the event that respondent fails to complete said remedial education program and pass said examination by the end of the period of suspension, said suspension will remain in effect until respondent completes said program and passes said examination. Respondent must wait two months between re-examinations.

MONITORING

(3) Within 120 days of the effective date of this decision, respondent shall submit to the Board for its prior approval a plan of practice in which respondent's practice shall be monitored by another dentist to be approved by the Board, who shall provide periodic reports to the Board for a period of two years after respondent resumes practice (after the period of suspension).

The monitoring may be indirect and consist of the periodic review of the complete patient records of those patients for whom respondent has provided any treatment or consultation during a given period. The monitoring dentist shall examine said dental patient records to determine whether respondent is practicing consistent with the standard of practice of dentistry, and may at his/her discretion, examine the actual patient, or question respondent further.

Said dental patient records shall include, but not be limited to, all writings, memos, and tape recordings of patient charts, medical and dental histories, oral diagnosis and treatment plans, patient advice and consultations, treatment
records, billings, consultation reports of other dentists, physicians, or health professionals, medication records and notes, laboratory tests, radiographs, study models and the like.

In addition to the above, respondent shall maintain a separate log in which respondent shall keep a current record (to the day) of all extractions of teeth performed in his office or by him or at his direction or request or upon his advice. Said log shall include the patient's name, the date of extraction, the teeth extracted, the dentist or oral surgeon who extracted the teeth, and the reason for the extraction. Said log shall be available for immediate review by the Board or its investigators or the monitoring dentist during office hours without notice. Said log shall be kept for 2 years after respondent resumes post suspension practice.

The monitoring dentist shall include, in his/her periodic report to the Board, a statement as to:

(1) whether or not respondent is practicing consistent with the standard of practice of dentistry and if not, why not;

(2) whether or not respondent is practicing consistent with the terms of probation and if not, why not;

(3) any other information the Board deems necessary and appropriate to monitor respondent.

COSTS

(4) Respondent shall pay the costs of the remedial education program prescribed by the Board, the oral
examination that may be administered by the Board, and the monitoring referenced in this stipulation.

NO USE OF EAV-DERMATRON, POTENTIOMETER,

LIMITATIONS OF REMEDIES

(5) Respondent shall not use or employ in his dental practice or have present in his office the EAV Dermatron potentiometer, or any other equipment which is not consistent with the standard of practice of dentistry. Any use of "homeopathic remedies" by respondent shall be for dental purposes only and shall be limited to those substances which are F.D.A. (Food and Drug Administration) approved and which may be purchased over the counter without prescription. Respondent shall at all times practice dentistry consistent with the standard of practice in California and shall only use said remedies as an adjunct or supplement to the treatments required by the standard of practice, and only after providing patients with informed consent.

STANDARD CONDITIONS OF PROBATION:

(6) Respondent shall obey federal, state and local laws, and all rules and regulations governing the practice of dentistry in California.

(7) Respondent shall submit quarterly declarations under penalty of perjury on forms provided by the Board, stating whether there has been compliance with all the conditions of probation.

(8) Respondent shall comply with the Board's probation surveillance program.
(9) Respondent shall appear in person for interviews with the Board's dental consultant upon request at various intervals and with reasonable notice.

(10) In the event respondent should leave California to reside or to practice outside the State, respondent must provide written notification to the Board of the dates of departure and return. Periods of residency or practice outside of California will not apply to the reduction of this probationary period.

(11) Respondent shall inform the Board in writing of any change of place of practice within 15 days.

B. If respondent violates the terms of this probation in any respect, the Board, after giving respondent notice and the opportunity to be heard, may set aside the stay order and impose the discipline (revocation) of the respondent's license. Upon successful completion of probation, respondent's license will be fully restored.

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11. The within stipulation shall be subject to the approval of the Board of Dental Examiners. If the Board fails to adopt this stipulation, it shall be of no force or effect for either party.

JOHN K. VAN DE KAMP
Attorney General

RUSSELL W. LEE
Deputy Attorney General

Attorneys for Complainant

DATED: 7-7-87

Law Offices Of
DENNIS M. WARREN
A PROFESSIONAL CORPORATION

DATED: July 4, 1987

By: DENNIS M. WARREN, Esq.
Attorney for Respondent

I have read the above document and fully discussed it with my counsel. I agree to the above Stipulation For Settlement.

DATED: 7-6-87

RALPH ANDREW LANDERMAN, D.D.S.
Respondent