

1 **BEFORE THE ARIZONA STATE BOARD OF DENTAL EXAMINERS**

ARIZONA STATE BOARD OF DENTAL EXAMINERS

2
3 IN THE MATTER OF **DR. AUG 20 A 8:48**

Case No. 201200041

4 **Elizabeth Irene Katz, D.M.D.**

**CONSENT AGREEMENT
AND ORDER**

5 Holder of License No. D 7371
6 For the Practice of Dentistry
In the State of Arizona.

7
8 In order to resolve this case quickly and judiciously, the Arizona State Board of Dental
9 Examiners ("Board") and Elizabeth Irene Katz, D.M.D. enter into this Consent Agreement
10 and Order ("Consent Agreement") in lieu of further administrative and judicial proceedings.

11 It is consistent with the public interest and the requirements and statutory authority of the
12 Board, specifically, A.R.S. §§ 32-1263.01, -1263.02, and 41- 1092.07(F) (5). This Consent
13 Agreement shall resolve all issues the Board has reviewed and investigated regarding the
14 allegations in this matter.

15 Therefore, in lieu of further proceedings, Elizabeth Irene Katz, D.M.D. admits and
16 understands that:

17 1. Any record prepared in this matter, all investigative materials prepared and
18 received by the Board concerning the allegations, and all related materials and exhibits may
19 be retained in the Board's file pertaining to this matter.

20 2. Dr. Katz waives any right to a hearing or re-hearing of this matter and any right
21 to judicial review of the attached Findings of Fact, Conclusions of Law, and Order.

22 3. Dr. Katz has the right to consult with an attorney prior to entering into this
23 Consent Agreement.

24 4. The findings contained in the Findings of Fact portion of the Consent
25 Agreement are conclusive evidence of the stated facts. The Board may consider this Consent
26 Agreement when and if future disciplinary proceedings arise only if the disciplinary
proceedings are within 5 years from the date of this order.

1 courses that do not require prior approval. Within five days of completion of each continuing
2 education course, Dr. Katz shall submit to the Board verification of completion of the
3 course(s). Verification shall be by canceled checks, attendance slips, if any, and a copy of any
4 notes taken during the course. The continuing education ordered in this Consent Agreement is
5 in addition to the continuing education hours required for license renewal. In the event Dr.
6 Katz fails to timely complete the continuing education, the Board may initiate disciplinary
7 proceedings for non-compliance with a Board order.

8 DATED this 11th day of October, 2012.

9 ARIZONA STATE BOARD OF
10 DENTAL EXAMINERS

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12 Elaine Hugunin
13 Executive Director

14 A copy of the following mailed by CERTIFIED MAIL this 11th day of October 2012 to:

15 Elizabeth Irene Katz, DMD
16 2834 East Devon St.
17 Tucson, AZ 85716

18 A copy mailed by US MAIL to:

19 Edwin M. Gaines, Jr.
20 4801 E. Broadway Blvd., Suite 400
21 Tucson, AZ 85711

1 **BEFORE THE ARIZONA STATE BOARD OF DENTAL EXAMINERS**

2
3 IN THE MATTER OF:

4 **Robert John Balcar, D.D.S.**

5 Holder of License No. D8214
6 For the Practice of Dentistry
 In the State of Arizona.

Case No. 201400040

**NON-DISCIPLINARY
CONSENT AGREEMENT
AND ORDER**

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8 In order to resolve this case quickly and judiciously, the Arizona State Board of
9 Dental Examiners ("Board") and Robert John Balcar, D.D.S. enter into this Non-
10 Disciplinary Consent Agreement and Order ("Consent Agreement") in lieu of further
11 administrative and judicial proceedings. It is consistent with the public interest and the
12 requirements and statutory authority of the Board, specifically, A.R.S. §§ 32-1263.01,
13 -1263.02, and 41- 1092.07(F) (5). This Consent Agreement shall resolve all issues the
14 Board has reviewed and investigated regarding the allegations in this matter.

15 Therefore, in lieu of further proceedings, Robert John Balcar, D.D.S. admits and
16 understands that:

17 1. Any record prepared in this matter, all investigative materials prepared
18 and received by the Board concerning the allegations, and all related materials and
19 exhibits may be retained in the Board's file pertaining to this matter.

20 2. Dr. Balcar waives any right to a hearing or re-hearing of this matter and
21 any right to judicial review of the attached Findings of Fact, Conclusions of Law, and
22 Order.

23 3. Dr. Balcar has the right to consult with an attorney prior to entering into
24 this Consent Agreement.

25 4. The findings contained in the Findings of Fact portion of the Consent
26 Agreement are conclusive evidence of the stated facts for only proceedings with and
 between the Board and Dr. Balcar. The Board may consider this Consent Agreement

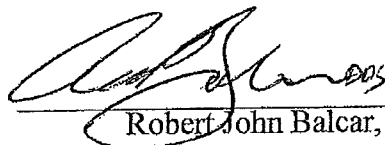
1 when and if future disciplinary proceedings arise only if the disciplinary proceedings
2 are within 5 years from the date of this order.

3 5. This Consent Agreement is subject to the Board's approval and will be
4 effective only when the Board accepts it and it is signed on behalf of the Board. In the
5 event that the Board, in its discretion, does not approve this Consent Agreement, it will
6 be deemed withdrawn, will be of no evidentiary value and shall not be relied upon or
7 introduced in any disciplinary proceeding by any party. Dr. Balcar agrees that should
8 the Board reject this Consent Agreement and this case continues through the
9 administrative process, he shall assert no claim that the Board was prejudiced by its
10 review and discussion of this document or any related records.

11 6. Dr. Balcar further understands that this Consent Agreement, if approved
12 and signed by the Board, constitutes a public document.

13 7. Dr. Balcar accepts the Board approving the following Findings of Fact,
14 Conclusions of Law and Order.

15 DATED this 19th day of March 2014.

16 
17 Robert John Balcar, D.D.S.

18 **FINDINGS OF FACT**

19 1. Dr. Balcar holds license no. D8214 initially issued by the Board on June 7,
20 2011.

21 2. Dr. Balcar previously practiced dentistry in Ohio. On September 25, 2013,
22 Dr. Balcar was indicted for felony insurance fraud in the State of Ohio.

23 3. On January 13, 2014, Dr. Balcar entered a plea of guilty to the charge of
24 attempted theft, a 1st degree misdemeanor. Dr. Balcar received a six- month suspended
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1 incarceration sentence and was placed on probation for one year. He was also ordered
2 to pay a \$500.00 fine and \$4804.25 in restitution to the State of Ohio.

3 4. Dr. Balcar failed to notify the Board of his indictment as required by
4 A.R.S. § 32-3208.
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6 7 **CONCLUSION OF LAW**

8 Pursuant to ARS 32-1263.01(B), the Board finds that Dr. Balcar's conduct, as
9 described in the above findings of fact can be remediated through non-disciplinary
10 continuing education.

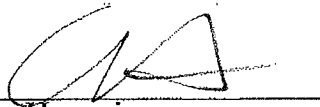
11 12 **ORDER**

13 1. **IT IS HEREBY ORDERED** that, within six (6) months from the
14 effective date of this Consent Agreement and Order, Dr. Balcar shall take and
15 complete three (3) hours of continuing dental education in the area of ethics. At least
16 ten business days prior to the date of the continuing education course(s), Dr. Balcar
17 shall obtain pre-approval for the continuing education from the Board's Executive
18 Director. Enclosed is a list of Board approved courses that do not require prior
19 approval. Within five days of completion of each continuing education course, Dr.
20 Balcar shall submit to the Board verification of completion of the course(s).
21 Verification shall be by canceled checks, attendance slips, if any, and/or certificate of
22 completion. The continuing education ordered in this Consent Agreement is in
23 addition to the continuing education hours required for license renewal. In the event
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1 Dr. Balcar fails to timely complete the continuing education, the Board may initiate
2 further disciplinary proceedings for non-compliance with a Board order.

3
4 DATED this 14th day of April, 2014.

6 ARIZONA STATE BOARD OF
7 DENTAL EXAMINERS

8 
9 Elaine Hugunin
10 Executive Director

11 A copy of the following mailed by CERTIFIED MAIL this 14th day of April 2014 to:

12 Robert John Balcar, DDS
13 9329 E. Corrine Dr.
14 Scottsdale, AZ 85260

15 A copy mailed by US MAIL to:

16 Robert J. Bahret
17 Bahret & Associates CO., L.P.A.
18 7050 Spring Meadows West Suite B
19 Holland, Ohio 43528-9293
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