

**STATE OF CONNECTICUT  
DEPARTMENT OF PUBLIC HEALTH  
Public Hearing Office**

Robin Teplica, Dental Hygienist  
License No.: 006107

Petition No.: 2011-1303

**MEMORANDUM OF DECISION  
*Procedural Background***

On January 26, 2012, the Department of Public Health (“the Department”) presented a Statement of Charges (“the Charges”)<sup>1</sup> and a Motion for Summary Suspension to the undersigned appointed Hearing Officer against Connecticut Dental Hygienist license number 006107 held by Robin Teplica (“respondent”). Rec. Exhs. 1, 2.

The Charges allege that respondent’s license is subject to disciplinary action pursuant to the Connecticut General Statutes (“the Statutes”) §20-126o, including but not limited to §§20-126o(a)(9). Rec. Exh. 2. The Motion for Summary Suspension was based on the Department’s information and belief that respondent’s continued practice represented a clear and immediate danger to the public health and safety. Rec. Exh. 1.

On January 30, 2012, pursuant to §§ 4-182(c) and 19a-17(c) of the Statutes, the undersigned granted the Department’s Motion and summarily suspended respondent’s license pending a final determination on the allegations contained in the Charges.

The Department served the Motion for Summary Suspension, Charges, Summary Suspension Order and Notice of Hearing via certified mail, return receipt requested, first class mail, and State Marshal. Rec. Exhs. 3. The Notice of Hearing directed respondent to appear before a duly authorized hearing officer on February 8, 2012, for a formal hearing on the allegations contained in the Charges.

An administrative hearing was held on February 8, 2012, in accordance with Connecticut General Statutes Chapter 54 and Regulations of Connecticut State Agencies (“Regulations”) §§19a-9-1 *et seq.* Respondent appeared *pro se*; Attorney Matthew Antonetti represented the Department. During the hearing Attorney Antonetti made an oral Motion to Amend the Statement of Charges. Tr., p. 3. Respondent did not object. Tr., p. 4. The Motion was granted. Tr., p. 4.

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<sup>1</sup> “Charges” makes reference to the Statement of Charges, as amended.

Both parties were given the opportunity to present evidence and argument on all issues and to conduct cross-examination. Respondent orally answered the Charges at the hearing.

This Memorandum of Decision is based entirely on the record and sets forth this Hearing Officer's findings of fact, conclusions of law and order. To the extent the findings of fact actually represent conclusions of law, they should be so considered, and vice versa. *SAS Inst., Inc. v. S&H Computer Systems, Inc.*, 605 F. Supp. 816 (M.D. Tenn 1985).

### *Allegations*

- 1) In paragraph 1 of the Charges, the Department alleges that respondent is, and has been at all times referenced in the Charges, the holder of Connecticut dental hygienist license number 006107.
- 2) In paragraph 2 of the Charges, the Department alleges that pursuant to Memorandum of Decision dated October 20, 2011, in Petition No. 2011-4711 ("the Order"), the Department of Public Health, Hearing Officer, placed respondent's dental hygienist license on probation for a period of one year. Such disciplinary action was based, in part, upon proof of respondent's abuse of controlled substances.
- 3) In paragraph 3 of the Charges, the Department alleges that said Order specifically provides that respondent's urine screens shall be negative for the presence of drugs and alcohol
- 4) In paragraph 4 of the Charges, the Department alleges that on or about November 17, 2011, November 18, 2011, November 29, 2011, December 1, 2011, and/or December 9, 2011 respondent's urine screens tested positive for cocaine.
- 5) In paragraph 5 of the Charges, the Department alleges that respondent's abuse of cocaine does, and/or may affect her practice as a licensed dental hygienist.
- 6) In paragraph 6 of the Charges, the Department alleges that respondent's conduct as described above constitutes violations of the terms of probation as set forth in the Order, and subjects respondent's license to revocation or other disciplinary action authorized by the General Statutes of Connecticut §§19a-17 and 20-126o, including, but not limited to, 20-126o(a)(9).

### *Findings of Fact*

- 1) Respondent is, and has been at all times referenced in the Charges, the holder of dental hygienist license number 006107. Tr., p. 12.
- 2) Pursuant to Memorandum of Decision dated October 20, 2011, in Petition No. 2011-4711 (hereinafter "the Order"), the Department of Public Health, Hearing Officer, placed respondent's dental hygienist license on probation for a period of one year. Such

- disciplinary action was based, in part, upon proof of respondent's abuse of controlled substances. Tr., p. 12; Dept. Exh. 1, part b.
- 3) Said Order specifically provides that respondent's urine screens shall be negative for the presence of drugs and alcohol. Tr., p. 12; Dept. Exh. 1, part b.
  - 4) On or about November 17, 2011, November 18, 2011, November 29, 2011, December 1, 2011, and/or December 9, 2011 respondent's urine screens tested positive for cocaine. Tr., pp. 8, 9, 13; Dept. Exhs. 1, 2.
  - 5) Respondent's abuse of cocaine does, and may affect her practice as a licensed dental hygienist. Tr., p. 13; Dept. Exhs. 1, 2.
  - 6) Respondent admits to all of the allegations in the Charges. Tr., pp. 12, 13.

### *Discussion and Conclusions of Law*

Section 20-126o(a) provides, in pertinent part that:

... The Department of Public Health may take any of the actions set forth in section 19a-17 for any of the following causes . . . (9) abuse or excessive use of drugs, including alcohol, narcotics or chemicals. . . .

The Department bears the burden of proof by a preponderance of the evidence in this matter. *Steadman v. SEC*, 450 U.S. 91, 101 S. Ct. 999, *reh'g den.*, 451 U.S. 933 (1981); *Swiller v. Comm'r of Public Health*, CV-950705601, Superior Court, J.D. Hartford/New Britain at Hartford, October 10, (1995); *Goldstar Medical Services, Inc., et al. v. Department of Social Services*, 288 Conn. 790 (2008). The Department sustained its burden of proof with regard to all allegations set forth in paragraphs 1 through 5 of the Charges.

Respondent admitted to violating her probation, as prescribed in the Order, and abusing cocaine. Tr., pp. 12, 13. She further admitted that her use of controlled substances may impact her practice as a licensed dental hygienist. Tr., p. 9.

Subsequent to her abuse of Vicoprofen, in October 2011, respondent was ordered a one-year probationary period during which she was to: secure the services of a licensed psychiatrist or psychologist approved by the Department; refrain from the ingestion, inhalation, injection or other use of any controlled substances or legend drugs, unless prescribed; and, submit to urine screens. Dept. Exh. 2, part b. The evidence establishes that respondent failed to secure the services of a licensed psychiatrist or a psychologist, failed to refrain from the ingestion,

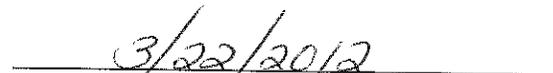
inhalation, injection or other use of drugs, and submitted urine screens that revealed the presence of cocaine in her system. Tr., pp. 8-10, 13-17.

Respondent explained that she has not practiced as a dental hygienist since April 2011, and that she currently attends Narcotic Anonymous meetings and sees a therapist. Tr., pp. 16, 17, 20. Respondent informed her therapist of her prior abuse of painkillers and was informed that she may have an "addictive brain." Tr., p. 16. She explained that she got into using cocaine while she was tutoring, and that at times she went with her student to a local restaurant where she befriended an employee who offered her cocaine. Respondent candidly testified about her drug abuse and stated that although she does not want to give up her license entirely, she recognizes that she needs to take care of herself first before she can continue in her profession. Tr., pp. 18, 19.

***Order***

Based upon the record in this case, the above findings of fact, and conclusions of law, a preponderance of the evidence establishes that respondent violated the Order dated October 20, 2011, and §20-126o(a)(9) of the Statutes. Therefore, pursuant to §§19a-17 and 20-126o of the Statutes, it is hereby ordered that dental hygienist license number 006107 held by Robin Teplica be REVOKED.

  
Stacy M. Schulman, Esq. Hearing Officer

  
Date

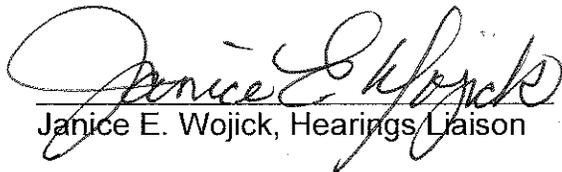
**CERTIFICATION**

I hereby certify that, pursuant to Connecticut General Statutes Section 4-180(c), a copy of the foregoing final Memorandum of Decision was sent this 22<sup>nd</sup> day of March, 2012 certified mail return receipt requested and first class mail to:

Robin Teplica  
21 Dana Road  
Danbury CT 06811

*and by E- Mail to:*

*matthew.antonetti@ct.gov*  
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Janice E. Wojick, Hearings Liaison