



The Commonwealth of Massachusetts  
Executive Office of Health and Human Services  
Department of Public Health  
Division of Health Professions Licensure  
Board of Registration in Dentistry

239 Causeway Street, Suite 500, Boston, MA 02114

CHARLES D. BAKER  
Governor

KARYN E. POLITO  
Lieutenant Governor

MARYLOU SUDDERS  
Secretary

MONICA BHAREL, MD, MPH  
Commissioner

Tel: 617-973-0971  
Fax: 617-973-0980  
TTY: 617-973-0988  
[www.mass.gov/dph/boards/dn](http://www.mass.gov/dph/boards/dn)

March 25, 2015

*By first-class mail*

Marc J. Gervais  
Gervais & Davenport, PC  
400 Trade Center, Suite 5900  
Woburn, MA 01801

**RE: In the matter of Amber N. Luberic, RDH  
Docket No. DEN-2014-0037**

Dear Attorney Gervais:

Enclosed please find a fully executed Consent Agreement effective **March 24, 2015**. A copy of this letter and the Consent Agreement will remain in the complaint file of the above-referenced docket number. The file will be retained for no less than three (3) years in accordance with state public record laws.

Paragraph six requires that Ms. Luberic provide a copy of this Consent Agreement to all jurisdictions in which she holds a license to practice dental hygiene. If Ms. Luberic does not hold any other license in any other jurisdiction she must inform Karen Fishman, Probation Monitor, in writing within thirty (30) days of March 24, 2015.

If you have any questions please call Ms. Fishman, Probation Monitor, at (617) 973-0951.

Thank you for your cooperation in this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "S. Leadholm".

Samuel Leadholm, Board Counsel  
Board of Registration in Dentistry

Encl.

COMMONWEALTH OF MASSACHUSETTS

SUFFOLK COUNTY

BOARD OF REGISTRATION  
IN DENTISTRY

\_\_\_\_\_  
In the Matter of \_\_\_\_\_ )  
Amber N. Luberic, RDH \_\_\_\_\_ )  
\_\_\_\_\_ )

Docket No. DEN-2014-0037

**CONSENT AGREEMENT FOR REPRIMAND**

The Massachusetts Board of Registration in Dentistry ("Board") and Amber N. Luberic, RDH ("Licensee"), License<sup>1</sup> No. DH13230 ("License"), do hereby stipulate and agree the following information shall be entered into and become a permanent part of the Licensee's record maintained by the Board.

1. The Licensee hereby states she voluntarily enters into this Consent Agreement for Reprimand ("Consent Agreement") to resolve the matters set forth in the complaint docketed at DEN-2014-0037 (the "Complaint").
2. The Licensee acknowledges there are sufficient facts in the Complaint from which the Board could reasonably find grounds for discipline under M.G.L. c. 112, § 61 and Board regulations.
3. The Licensee and the Board stipulate and agree to resolve this matter without making any findings and without proceeding to a formal adjudicatory hearing on the Complaint as follow:
  - (a) On June 15, 2005, Licensee was issued her License to practice dental hygiene in the Commonwealth. Licensee renewed her License biennially from June 15, 2005, until on or about March 31, 2013 when Licensee failed to renew her License in violation of M.G.L. c. 112, §51 and 234 CMR 4.10(2) and (4)<sup>2</sup>. Thus, her License expired on April 1, 2013.
  - (b) Licensee practiced dental hygiene in the Commonwealth on an expired dental hygiene license from April 1, 2013, until on or about March 27, 2014, in violation of M.G.L. c. 112, §52 and 234 CMR 9.05(6), when she discovered her License had expired.

<sup>1</sup>The term "license" or "License" applies to both a current and expired license as well as the right to renew an expired license.

<sup>2</sup> The regulation section and subsection cited in the Consent Agreement were in effect between April 2013 and January 2014.

- (c) Licensee submitted her license renewal application to the Board and her License was renewed on or about April 4, 2014.
4. To resolve the Complaint without further proceedings before the Board, the Licensee agrees and the Board hereby imposes a *Reprimand* on her License pursuant to 234 CMR 9.03(2)(a) to become effective the date the Consent Agreement is signed by the Board ("Effective Date").
  5. The Licensee understands her action in entering into the Consent Agreement is a final act and not subject to reconsideration, collateral attack or judicial review in any form or forum.
  6. Within thirty (30) days of the Effective Date, Licensee shall provide a copy of the Consent Agreement to all jurisdictions where she holds or has held any professional license.
    - (a) Licensee shall provide written documentation to the Board demonstrating her compliance with Paragraph 6.
    - (b) If Licensee is not licensed to practice dental hygiene or another profession in any other jurisdiction, she shall submit a signed attestation to the Board stating such.
  7. The Licensee acknowledges and understands the Consent Agreement is a public record within the meaning of M.G.L. c. 4, § 7 and as such may be disseminated to the public.
  8. The Board agrees as consideration for Licensee entering into the Consent Agreement, the Board will forgo further prosecution of the Complaint unless the Licensee does not fulfill the conditions in Paragraph 6 above.
  9. The Licensee states she enters the Consent Agreement of her own free will. The Licensee further states she is aware she has a right to counsel in this matter and either has conferred with counsel prior to signing the Consent Agreement or waives her right to counsel.
  10. A waiver by the Board of any provisions of the Consent Agreement at any time shall not constitute a waiver of any other provision of the Consent Agreement, nor shall it constitute waiver by the Board of its rights to enforce such provision at any future time.
  11. The Licensee has read the Consent Agreement. The Licensee understands she has the right to a formal adjudicatory hearing concerning the allegations set forth in the Complaint and that at a hearing she would have the right to confront and cross-examine witnesses, call witnesses, present evidence, testify on her own behalf, contest the allegations, present oral argument, seek judicial review and to all other

Luberice, Amber  
DH13230  
DEN-2014-0037

rights set forth in the State Administrative Procedure Act, M.G.L. c. 30A and 801 CMR 1.00 *et seq.* By executing the Consent Agreement, Licensee knowingly and voluntarily waives her right to a formal adjudicatory hearing and to all of the above-enumerated rights set forth in the State Administrative Procedure Act, M.G.L. c. 30A and 801 CMR 1.00 *et seq.*

Licensee

Amber N. Luberice  
Amber N. Luberice, RDH

3.19.15  
Date Signed

Board of Registration in Dentistry

Barbara A. Young RDH  
Barbara A. Young, RDH  
Executive Director

3/24/15  
Date Signed

3/24/15  
Effective Date