

BEFORE THE INDIANA STATE
BOARD OF DENTISTRY
CAUSE NO. 2010 ISDB 3016

IN THE MATTER OF THE INDIANA)
LICENSE OF:)
)
ROBIN M. THOMAN, DDS.,)
LICENSE NUMBERS: 12008941A (active) and)
43000253A (active).)



COMPLAINT

The State of Indiana, by counsel, Michael A. Minglin, Senior Deputy Attorney General, on behalf of the Office of the Attorney General (“Petitioner”), and pursuant to Indiana Code §25-1-7-7, Indiana Code §25-1-5-3, Indiana Code ch. 25-14-1, the Administrative Orders and Procedures Act, Indiana Code ch. 4-21.5-3 and Indiana Code ch. 25-1-9 files its Complaint against the dental license of Robin M. Thoman, DDS, (“Respondent”) License No. 12008941A (active) and Dental Anesthesia Permit No. 43000253A (active) and in support thereof alleges and states:

FACTS

1. Respondent’s address on file with the Indiana Professional Licensing Agency is Paradox Dental Center, 7007 South US 31, Indianapolis, Indiana. 46227.
2. Respondent holds active Indiana Dental License No. 12008941A issued June 22, 1987 and active Indiana Dental Anesthesia Permit No. 43000253A issued November 13, 2003.
3. On or about May 4, 1987, Respondent filed an application for a license to practice dentistry-dental hygiene with the Indiana State Board of Dental Examiners (“Board”).

4. Respondent signed the May 4, 1987 application referred to above on the 10th day of March, 1987 under oath as follows, "I hereby swear under the penalties of perjury that the above statements are true, complete and correct /s/ Robin Thoman, DDS."

5. Question number 10 on the application for dental license submitted by Respondent requested the following information:

10. MILITARY SERVICE RECORD: Include serial number, branch of service, type of discharge and date of separation.

6. Respondent answered question number 10 referred to above regarding military service, "N/A".

7. Respondent served in the United States Army as an operating room specialist from May 23, 1977 to February 20, 1980 at which time he separated from the service under other than honorable conditions; administrative discharge conduct triable by court-martial.

8. Question number 19 on the May 4, 1987 application for dental license also asked:

19. Have you ever been convicted of, pled guilty or *nolo contendere* to:

* * * *

b. To any offense, misdemeanor, or felony in any state? (EXCEPT for violation of traffic laws resulting in fines.)

9. Respondent answered question number 19 referred to above, "No."

10. On December 31, 1981, an Amended Information was filed in the District Court of El Paso County, State of Colorado, under cause no. 81CR1832 captioned *People*

of the State of Colorado vs. Robin M. Thoman charging Respondent with theft, more specifically:

[T]hat between April 1, 1981 and August 31, 1981, Respondent did unlawfully and knowingly commit the crime of theft by unlawfully taking a thing or things of value of Fifty Dollars (\$50.00) or more but less than Two Hundred Dollars (\$200.00), to-wit: money of the University of Colorado at Colorado Springs; In violation of Colorado Revised Statutes 1973 18-4-401 as amended, Theft misd., (M-2).

11. Respondent pled *nolo contendere* to the theft charge referred to above on September 22, 1981.

12. On or about October 31, 2003 Respondent filed an application for a permit to administer anesthesia and sedation with the Board.

13. Respondent signed the October 31, 2003, application referred to above under oath as follows, "I hereby swear under the penalties of perjury that the above statements are true, complete and correct /s/ Robin M. Thoman"

14. The application for a permit to administer anesthesia and sedation asked:

Have you ever been convicted of, pled guilty or *nolo contendere* to:

* * * *

b. To any offense, misdemeanor, or felony in any state? (except for violation of traffic laws resulting in fines.)

15. Respondent answered the question on his permit to administer anesthesia and sedation regarding whether he had ever been convicted of, pled guilty or *nolo contendere* to, "No."

COUNT I

16. Allegations 1 through 15 are incorporated herein by reference.

17. Respondent's conduct constitutes a violation of Indiana Code § 25-1-9-4(a)(1)(A) in that he has engaged in fraud or material deception in order to obtain an initial license to practice dentistry.

COUNT II

18. Allegations 1 through 17 are incorporated herein by reference.

19. Respondent's conduct constitutes a violation of Indiana Code § 25-1-9-4(a)(1)(A) in that he has engaged in fraud or material deception in order to obtain a license to practice anesthesia and sedation.

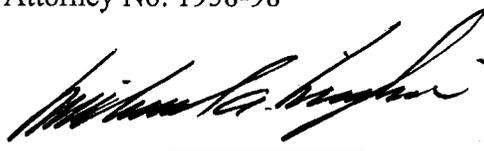
WHEREFORE, Petitioner demands an order against the Respondent, that:

1. Imposes the appropriate disciplinary sanction;
2. Directs Respondent to pay all the cost incurred in the prosecution of this case;
3. Provides any other relief the Board deems just and proper.

Respectfully submitted,

GREGORY F. ZOELLER
Attorney General of Indiana
Attorney No. 1958-98

By:

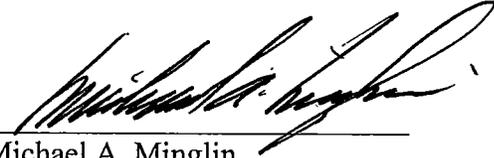


Michael A. Minglin
Deputy Attorney General
Attorney No.: 10029-49

CERTIFICATE OF SERVICE

I certify that a copy of the foregoing "Complaint" has been served upon the individual(s) listed below, by United States mail, first class postage prepaid, on this 18th day of November, 2010:

Robin M. Thoman, DDS
Paradox Dental Center
7007 South US 31
Indianapolis, IN 46227



Michael A. Minglin
Deputy Attorney General
Attorney No.: 10029-49

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