



STATE OF NEW YORK DEPARTMENT OF HEALTH

Corning Tower The Governor Nelson A. Rockefeller Empire State Plaza Albany, New York 12237

Barbara A. DeBuono, M.D., M.P.H.
Commissioner

Karen Schimke
Executive Deputy Commissioner

April 19, 1996

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

Dennis R. Lardent, M.D.
a.k.a. Dennis R. L'Ardent
6185 S. Pecos #196
Las Vegas, Nevada 89120

**RE: In the Matter of Dennis R. Lardent, a.k.a.
Dennis R. L'Ardent, M.D.**

Effective Date: 04/26/96

Dear Dr. Lardent:

Enclosed please find the Determination and Order (No. 96-74) of the Hearing Committee in the above referenced matter. This Determination and Order shall be deemed effective upon the receipt or seven (7) days after mailing by certified mail as per the provisions of §230, subdivision 10, paragraph (h) of the New York State Public Health Law.

Five days after receipt of this Order, you will be required to deliver to the Board of Professional Medical Conduct your license to practice medicine if said license has been revoked, annulled, suspended or surrendered, together with the registration certificate. Delivery shall be by either **certified mail or in person** to:

Office of Professional Medical Conduct
New York State Department of Health
Corning Tower - Fourth Floor (Room 438)
Empire State Plaza
Albany, New York 12237

If your license or registration certificate is lost, misplaced or its whereabouts is otherwise unknown, you shall submit an affidavit to that effect. If subsequently you locate the requested items, they must then be delivered to the Office of Professional Medical Conduct in the manner noted above.

As prescribed by the New York State Public Health Law §230, subdivision 10, paragraph (i), and §230-c subdivisions 1 through 5, (McKinney Supp. 1992), "the determination of a committee on professional medical conduct may be reviewed by the Administrative Review Board for professional medical conduct." Either the licensee or the Department may seek a review of a committee determination.

Request for review of the Committee's determination by the Administrative Review Board stays all action until final determination by that Board. Summary orders are not stayed by Administrative Review Board reviews.

All notices of review must be served, by **certified mail**, upon the Administrative Review Board **and** the adverse party within fourteen (14) days of service and receipt of the enclosed Determination and Order.

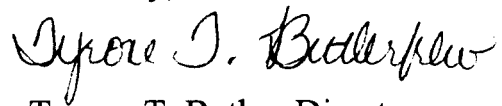
The notice of review served on the Administrative Review Board should be forwarded to:

James F. Horan, Esq., Administrative Law Judge
New York State Department of Health
Bureau of Adjudication
Empire State Plaza
Corning Tower, Room 2503
Albany, New York 12237-0030

The parties shall have 30 days from the notice of appeal in which to file their briefs to the Administrative Review Board. Six copies of all papers must also be sent to the attention of Mr. Horan at the above address and one copy to the other party. The stipulated record in this matter shall consist of the official hearing transcript(s) and all documents in evidence.

Parties will be notified by mail of the Administrative Review Board's
Determination and Order.

Sincerely,

A handwritten signature in black ink, appearing to read "Tyrone T. Butler". The signature is written in a cursive style with a large, stylized initial 'T'.

Tyrone T. Butler, Director
Bureau of Adjudication

TTB:nm
Enclosure



STATE OF NEW YORK DEPARTMENT OF HEALTH

Corning Tower

The Governor Nelson A. Rockefeller Empire State Plaza

Albany, New York 12237

Barbara A. DeBuono, M.D., M.P.H.
Commissioner

Karen Schimke
Executive Deputy Commissioner

April 3, 1996

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

Roy Nemerson, Esq.
Deputy Counsel
NYS Department of Health
5 Penn Plaza-Sixth Floor
New York, New York 10001

Dennis R. Lardent, a.k.a.
Dennis R. L'Ardent, M.D.
Suite 124-232
7380 South Eastern Avenue
Las Vegas, Nevada 89127

Dennis R. Lardent, a.k.a.
Dennis R. L'Ardent, M.D.
P.O. Box 19529
Jean, Nevada 89019-0000

Dennis R. Lardent, a.k.a.
Dennis R. L'Ardent, M.D.
301 East 38th Street
New York, New York 10016

Anthony D. Denaro, Esq.
Suite 301
91 North Franklin Street
Hempstead, New York 11550

Dennis R. Lardent, a.k.a.
Dennis R. L'Ardent, M.D.
c/o Anthony D. Denaro, Esq.
Suite 301
91 North Franklin Street
Hempstead, New York 11550

**RE: In the Matter of Dennis R. Lardent, a.k.a.
Dennis R. L'Ardent, M.D.**

Dear Mr. Nemerson, Dr. Lardent and Mr. Denaro:

Enclosed please find the Determination and Order (No. 96-74) of the Hearing Committee in the above referenced matter. This Determination and Order shall be deemed effective upon the receipt or seven (7) days after mailing by certified mail as per the provisions of §230, subdivision 10, paragraph (h) of the New York State Public Health Law.

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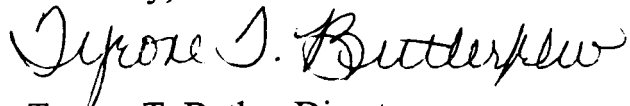
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Parties will be notified by mail of the Administrative Review Board's Determination and Order.

Sincerely,

A handwritten signature in cursive script, reading "Tyrone T. Butler".

Tyrone T. Butler, Director
Bureau of Adjudication

TTB:nm
Enclosure

COPY

STATE OF NEW YORK : DEPARTMENT OF HEALTH
STATE BOARD FOR PROFESSIONAL MEDICAL CONDUCT

-----X	:	
IN THE MATTER	:	DETERMINATION
	:	
OF	:	AND
	:	
DENNIS R. LARDENT, A.K.A.	:	ORDER
DENNIS R. L'ARDENT, M.D.	:	
-----X	:	

BPMC-96-74

A Commissioner's Order and Notice of Hearing, dated March 15, 1996, and a Statement of Charges, dated March 14, 1996, were served upon the Respondent, Dennis R. Lardent, a.k.a. Dennis R. L'Ardent, M.D. NAOMI GOLDSTEIN, M.D. (Chair), DANIEL W. MORRISSEY, O.P., and JOHN A. D'ANNA, JR., M.D., duly designated members of the State Board for Professional Medical Conduct, served as the Hearing Committee in this matter pursuant to Section 230(10)(e) of the Public Health Law. LARRY G. STORCH, ESQ., ADMINISTRATIVE LAW JUDGE, served as the Administrative Officer. The Department of Health appeared by Roy Nemerson, Esq., Deputy Counsel. The Respondent appeared by Anthony D. Denaro, Esq. A hearing was held on March 22, 1996. Evidence was received and witnesses sworn and heard and transcripts of these proceedings were made.

After consideration of the entire record, the Hearing Committee issues this Determination and Order.

STATEMENT OF CASE

By an Order dated March 15, 1996, the Commissioner of Health summarily suspended the medical license of the Respondent, Dennis R. Lardent, a.k.a. Dennis R. L'Ardent, M.D., upon a finding that his continued practice of medicine would constitute an imminent danger to the health of the people of this state. More specifically, the accompanying Statement of Charges alleged two specifications of professional misconduct pursuant to Education Law §6530(9)(b) and 6530(9)(d). Both specifications of misconduct are based upon the fact that Respondent's license to practice medicine in the state of California was summarily suspended and subsequently revoked by the Medical Board of California (hereinafter the "California Board"), the duly authorized disciplinary agency in that state.

In cases where a licensee is charged with violations of Education Law § 6530(9)(b) and/or 6530(9)(d), the licensee is charged with misconduct based upon the fact that the licensee been found guilty of professional misconduct in another jurisdiction and/or has had his license to practice medicine suspended or has had other disciplinary action taken after proceedings were instituted by the duly authorized disciplinary agency of that jurisdiction, where the conduct resulting in disciplinary action would, if committed in New York State, constitute professional misconduct under the laws of New York State. The scope of such a case is then limited to a determination of the nature and severity of the penalty to be

imposed upon the licensee.

A copy of the Commissioner's Order and Notice of Hearing and Statement of Charges is attached to this Determination and Order in Appendix I.

Although Respondent and Respondent's counsel received timely notice of these proceedings, neither appeared in person at the hearing. Respondent's counsel requested an adjournment via telephone conference. Following an executive session, the Hearing Committee decided not to grant such an adjournment.

FINDINGS OF FACT

The following Findings of Fact were made after a review of the entire record in this matter. Numbers in parentheses refer to transcript page numbers or exhibits. These citations represent evidence found persuasive by the Hearing Committee in arriving at a particular finding. Conflicting evidence, if any, was considered and rejected in favor of the cited evidence.

1. Dennis R. Lardent, M.D. (hereinafter, "Respondent"), was authorized to practice medicine in New York State on October 22, 1982 by the issuance of license number 151799 by the New York State Education Department. Respondent is currently registered with the New York State Education Department to practice medicine for the period October 1, 1995 through July 31, 1997. (Dept. Ex. #2).

2. By a default decision of the Medical Board of California dated August 1, 1995, Respondent was found guilty of professional misconduct relating to his care and treatment of

three patients. The California decision established that:

- In his care of each of three patients, Respondent had engaged in gross negligence, incompetence and sexual misconduct;
- In his care of all three patients, Respondent had engaged in repeated negligence; and
- In his filing of false declarations in an Interim Suspension proceeding, Respondent had engaged in dishonesty.

The California Board ordered Respondent's California medical license revoked based upon each and every violation found.

(Dept. Ex. #3).

3. Prior to the entry of the default decision, as set forth above, Respondent's California medical license had been summarily suspended based upon a May 9, 1995 finding by an Administrative Law Judge that, under applicable standards of proof, there was sufficient evidence to conclude that:

- Respondent's actions regarding two of the three patients cited in Paragraph 2, above, constituted gross negligence, repeated negligence and incompetence;
- Respondent was likely to continue such conduct, and
- Permitting Respondent to continue to engage in the medical profession would endanger the public health, safety or welfare. (Dept. Ex. #3).

CONCLUSIONS OF LAW

The following conclusions were made pursuant to the Findings of Fact listed above. All conclusions resulted from a unanimous vote of the Hearing Committee unless noted otherwise.

The Hearing Committee concluded that the Department has sustained its burden of proof with regard to the charges. The preponderance of the evidence clearly demonstrates that on August 1, 1995, the California Board, the duly authorized disciplinary agency for the state of California, found Respondent guilty of professional misconduct. This action took place following Respondent's failure to appear and contest the charges at a hearing.

The California action was based upon the medical care and treatment rendered by Respondent to three female patients, as is set forth in more detail in the California Board's Accusation (Dept. Ex. #3). All three of the patients were being treated by Respondent for various psychiatric conditions. These patients were all emotionally fragile and vulnerable. Respondent took advantage of these patients' vulnerability for his own sexual gratification.

The Hearing Committee unanimously concluded that Respondent's conduct with respect to these three patients, if committed in New York State, would constitute professional misconduct in violation of the New York State Education Law. More specifically, Respondent's conduct would constitute professional misconduct in violation of Education Law §6530(3) [negligence on more than one occasion], §6530(4) [gross

negligence], §6530(5) [incompetence on more than one occasion], and §6530(20) [conduct in the practice of medicine which evidence moral unfitness to practice medicine]. Consequently, the Hearing Committee voted to sustain the First and Second Specifications of professional misconduct raised against Respondent.

DETERMINATION AS TO PENALTY

The Hearing Committee, pursuant to the Findings of Fact and Conclusions of Law set forth above, unanimously determined that Respondent's license to practice medicine in New York State should be revoked. This determination was reached upon due consideration of the full spectrum of penalties available pursuant to statute, including revocation, suspension and/or probation, censure and reprimand, and the imposition of monetary penalties.

The California Board found Respondent guilty of sexual misconduct, negligence, gross negligence and incompetence. He failed to contest the charges and presented no mitigating evidence, either to the California Board or this Hearing Committee.

In considering the sanction to be imposed, the Hearing Committee was concerned by the fact that Respondent failed to appear at the hearing, to present any evidence which might mitigate the sanction. In doing so, Respondent repeated the course of conduct he followed in California, i.e., fleeing the state in hopes of evading the jurisdiction of the Board.

Respondent's conduct constituted a serious breach of the

public trust granted to members of the medical profession. He sexually exploited vulnerable patients for his own personal gratification. Respondent is not morally fit to practice the profession. No sanction other than revocation is adequate to protect the public against future harm.

The Hearing Committee is also required, pursuant to Public Health Law §230(12), to make a recommendation to the Commissioner of Health as to whether Respondent's practice in New York State represents an imminent danger to the people of this state. The Hearing Committee unanimously concluded that Respondent's ability to practice medicine in this state would constitute an imminent danger to the people of New York.

As noted above, the Committee determined that Respondent's New York medical license should be revoked. A review of Respondent's licensure file (Dept. Ex. #2) demonstrates that Respondent registered to practice medicine in this state on or about August 16, 1995 - shortly after the California Board revoked his California license. The Hearing Committee considers this to represent an intent to begin practicing medicine in New York.

In order to maintain the summary suspension of Respondent's license during the pendency of any appeal to the Administrative Review Board, the Hearing Committee therefore recommends that the Commissioner of Health issue an Interim Order continuing the summary suspension in effect pending the final resolution of this matter.

ORDER

Based upon the foregoing, IT IS HEREBY ORDERED THAT:

1. The First and Second Specifications of professional misconduct, as set forth in the Statement of Charges

(Department's Exhibit # 1) are SUSTAINED;

2. Respondent's license to practice medicine in New York State be and hereby is REVOKED.

DATED: Albany, New York

April 2, 1996

Naomi Goldstein MD

NAOMI GOLDSTEIN, M.D. (CHAIR)

DANIEL W. MORRISSEY, O.P.
JOHN A. D'ANNA, JR., M.D.

TO: Roy Nemerson, Esq.
Deputy Counsel
New York State Department of Health
5 Penn Plaza - 6th Floor
New York, New York 10001

Dennis R. Lardent, a.k.a.
Dennis R. L'Ardent, M.D.
Suite 124-232
7380 South Eastern Avenue
Las Vegas, Nevada 89127

P.O. Box 19529
Jean, Nevada 89019-0000

301 East 38th Street
New York, New York

c/o Anthony D. Denaro, Esq.
Suite 301
91 North Franklin Street
Hempstead, New York 11550

Anthony D. Denaro, Esq.
Suite 301
91 North Franklin Street
Hempstead, New York 11550

APPENDIX I

NEW YORK STATE DEPARTMENT OF HEALTH
STATE BOARD FOR PROFESSIONAL MEDICAL CONDUCT

IN THE MATTER

OF

DENNIS R. LARDENT A.K.A.

DENNIS R. L'ARDENT, M.D.

COMMISSIONER'S
ORDER AND
NOTICE OF
HEARING

TO: DENNIS R. LARDENT
301 East 38th Street
New York, NY



The undersigned, Barbara A. DeBuono, M.D., M.P.H., Commissioner of Health of the State of New York, after an investigation, upon the recommendation of a Committee on Professional Medical Conduct of the State Board for Professional Medical Conduct, and upon the Statement of Charges attached hereto and made a part hereof, has determined that the continued practice of medicine in the State of New York by DENNIS R. LARDENT, the Respondent, constitutes an imminent danger to the health of the people of this state.

It is therefore:

ORDERED, pursuant to N.Y. Pub. Health Law §230(12) (McKinney Supp. 1996), that effective immediately DENNIS R. LARDENT, Respondent, shall not practice medicine in the State of New York. This Order shall remain in effect unless modified or vacated by the Commissioner of Health pursuant to N.Y. Pub. Health Law §230(12) (McKinney Supp. 1996).

PLEASE TAKE NOTICE that a hearing will be held pursuant to the provisions of N.Y. Pub. Health Law §230 (McKinney 1990 and Supp. 1996), and N.Y. State Admin. Proc. Act §§301-307 and 401 (McKinney 1984 and Supp. 1996). The hearing will be conducted before a committee on professional conduct of the State Board for Professional Medical Conduct on March 22, 1996, at 9:30 a.m., at the

offices of the New York State Health Department, 5 Penn Plaza, Sixth Floor, New York, NY 10001, and at such other adjourned dates, times and places as the committee may direct. The Respondent may file an answer to the Statement of Charges with the below-named attorney for the Department of Health.

At the hearing, evidence will be received concerning the allegations set forth in the Statement of Charges, which is attached. A stenographic record of the hearing will be made and the witnesses at the hearing will be sworn and examined. The Respondent shall appear in person at the hearing and may be represented by counsel. The Respondent has the right to produce witnesses and evidence on his behalf, to issue or have subpoenas issued on his behalf for the production of witnesses and documents and to cross-examine witnesses and examine evidence produced against him. A summary of the Department of Health Hearing Rules is enclosed. Pursuant to §301(5) of the State Administrative Procedure Act, the Department, upon reasonable notice, will provide at no charge a qualified interpreter of the deaf to interpret the proceedings to, and the testimony of, any deaf person.

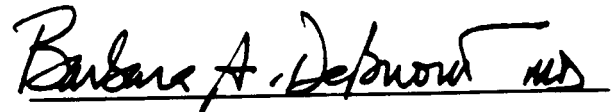
The hearing will proceed whether or not the Respondent appears at the hearing. Scheduled hearing dates are considered dates certain and, therefore, adjournment requests are not routinely granted. Requests for adjournments must be made in writing to the Administrative Law Judge's Office, Empire State Plaza, Corning Tower Building, 25th Floor, Albany, New York 12237-0026 and by telephone (518-473-1385), upon notice to the attorney for the Department of Health whose name appears below, and at least five days prior to the scheduled hearing date. Claims of court engagement will require detailed affidavits of actual engagement. Claims of illness will require medical documentation.

At the conclusion of the hearing, the committee shall make findings of fact, conclusions concerning the charges sustained or dismissed, and, in the event any of the charges are sustained, a determination of the penalty or sanction to be imposed or appropriate action to be taken. Such determination may be reviewed by the

administrative review board for professional medical conduct.

THESE PROCEEDINGS MAY RESULT IN A DETERMINATION THAT YOUR LICENSE TO PRACTICE MEDICINE IN NEW YORK STATE BE REVOKED OR SUSPENDED, AND/OR THAT YOU BE FINED OR SUBJECT TO OTHER SANCTIONS SET FORTH IN NEW YORK PUBLIC HEALTH LAW §230-a (McKinney Supp. 1996). YOU ARE URGED TO OBTAIN AN ATTORNEY TO REPRESENT YOU IN THIS MATTER.

DATED: Albany, New York
15 March, 1996

A handwritten signature in cursive script, reading "Barbara A. DeBuono", followed by a horizontal line and a small flourish.

BARBARA A. DeBUONO, M.D., M.P.H.
Commissioner of Health

Inquiries should be directed to:

Marcia E. Kaplan
Associate Counsel
N.Y.S. Department of Health
Division of Legal Affairs
5 Penn Plaza
Suite 601
New York, New York 10001
(212) - 613-2615

NEW YORK STATE DEPARTMENT OF HEALTH
STATE BOARD FOR PROFESSIONAL MEDICAL CONDUCT

IN THE MATTER
OF
DENNIS R. LARDENT A.K.A.
DENNIS L'ARDENT, M.D.

STATEMENT
OF
CHARGES

DENNIS R. LARDENT, M.D., the Respondent, was authorized to practice medicine in New York State on or about October 22, 1982, by the issuance of license number 151799 by the New York State Education Department.

FACTUAL ALLEGATIONS

- A. By a default decision of the Medical Board of California dated August 1, 1995, Respondent was found guilty of professional misconduct relating to his care and treatment of three patients. The California decision established that:
1. In his care of each of the three patients, Respondent had engaged in gross negligence, incompetence, and sexual misconduct;
 2. In his care of all three patients, Respondent had engaged in repeated negligence; and
 3. In his filing of false declarations in an Interim Suspension proceeding, Respondent had engaged in dishonesty.

The California Board ordered Respondent's California medical license revoked based upon each and every violation found.

- B. Prior to the entry of the default decision, as set forth in paragraph A, Respondent's California medical license had been summarily suspended

based upon a May 9, 1995 finding, by an Administrative Law Judge that, under applicable standards of proof, there was sufficient evidence to conclude that:

1. Respondent's actions regarding two of the three patients cited in Paragraph A, above, constituted gross negligence, repeated negligence, and incompetence;
2. Respondent was likely to continue such conduct; and
3. Permitting Respondent to continue to engage in the medical profession would endanger the public health, safety or welfare.

SPECIFICATION OF CHARGES

FIRST SPECIFICATION **HAVING BEEN FOUND GUILTY OF** **PROFESSIONAL MISCONDUCT**

Respondent is charged with committing professional misconduct as defined in N.Y. Educ. Law §6530(9)(b)(McKinney Supp. 1996) by having been found guilty of improper professional practice or professional misconduct by a duly authorized professional disciplinary agency of another state where the conduct upon which the finding was based would, if committed in New York state, constitute professional misconduct under the laws of New York state (namely N.Y. Educ. Law §§ (3), (4), (5), and (20)) as alleged in the facts of the following:

1. Paragraph A and each of its subparagraphs.

SECOND SPECIFICATION **HAVING HAD DISCIPLINARY ACTION TAKEN**

Respondent is charged with committing professional misconduct as defined in N.Y. Educ. Law §6530(9)(d)(McKinney Supp. 1996) by having his or her license to practice medicine revoked, suspended or having other disciplinary action taken, or having his or her application for a license refused, revoked or suspended or having voluntarily or otherwise surrendered his or her license after a disciplinary action was instituted by a duly authorized professional disciplinary agency of another state, where the conduct resulting in the revocation, suspension or other disciplinary action involving the license or refusal, revocation or suspension of an application for a license or the surrender of the license would, if committed in New York state, constitute professional misconduct under the laws of New York state (namely N.Y.

Educ. Law §6530(3), (4), (5), and (20)) as alleged in the facts of the following:

2. Paragraph A and each of its subparagraphs, and/or Paragraph B and each of its subparagraphs.

DATED: March 14, 1996
New York, New York

ROY NEMERSON
Deputy Counsel
Bureau of Professional
Medical Conduct