



# The University of the State of New York

IN THE MATTER

OF

LEONARD KUNDEL  
(Dentist)

ORIGINAL  
VOTE AND ORDER  
NO. 27294

Upon the application of LEONARD KUNDEL, under Calendar No. 27294, which application is made a part hereof, and in accordance with the provisions of Title VIII of the Education Law, it was

**VOTED** (April 29, 2014): That the application of LEONARD KUNDEL, respondent, for a consent order be granted; and that the Deputy Commissioner for the Professions be empowered to execute, for and on behalf of the Board of Regents, all orders necessary to carry out the terms of this vote;

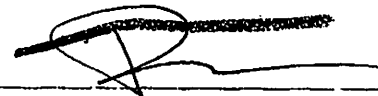
and it is

**ORDERED**: That, pursuant to the above vote of the Board of Regents, said vote and the provisions thereof are hereby adopted and **SO ORDERED**, and it is further

**ORDERED** that this order shall take effect as of the date of the personal service of this order upon the respondent or five days after mailing by certified mail.

LEONARD KUNDEL (27294)

IN WITNESS WHEREOF, I, Douglas E. Lentivech, Deputy Commissioner for the Professions, for and on behalf of the State Education Department and the Board of Regents, do hereunto set my hand, at the City of Albany, this 29th day of April, 2014.

A handwritten signature in black ink, appearing to read 'Douglas E. Lentivech', is written over a horizontal line.

DOUGLAS E. LENTIVECH  
DEPUTY COMMISSIONER  
FOR THE PROFESSIONS

NEW YORK STATE EDUCATION DEPARTMENT  
OFFICE OF PROFESSIONAL DISCIPLINE  
STATE BOARD FOR DENTISTRY

-----X  
IN THE MATTER

of the

Disciplinary Proceeding

against

LEONARD KUNDEL

APPLICATION FOR  
CONSENT ORDER

CAL. NO. 27294

who is currently licensed to practice as  
a dentist in the State of New York.  
-----X

LEONARD KUNDEL states:

That on or about July 6, 1999, I was licensed to practice as a dentist in the State of New York, having been issued license number 048291 by the New York State Education Department.

I am not currently registered with the New York State Education Department to practice as a dentist in the State of New York. I was last registered to practice from an address at [REDACTED], [REDACTED], New Rochelle, New York [REDACTED]. My current mailing address is [REDACTED] Stamford, Connecticut [REDACTED].

That I have been charged with one (1) specification of professional misconduct, a copy of which is annexed hereto, made a part hereof, and marked as Exhibit "A".

I admit guilt to the aforesaid specification of professional misconduct, charging me with practicing the profession of dentistry with negligence on more than one occasion (performing

**LEONARD KUNDEL**

inadequate charting; extracting patient's teeth without adequate clinical and/or radiographic indication; misdiagnosing and/or mistreating osteomyelitis; and twice prescribing medication without examining the patient).

I hereby agree to the penalty that my license to practice as a dentist in the State of New York be suspended for one (1) year; that execution of said suspension be stayed; that I be placed on probation for a period of one (1) year, under the terms set forth in the exhibit annexed hereto, made a part hereof, and marked as Exhibit "B", said probation to commence upon my return to the practice of dentistry in the State of New York; and that I be fined the sum of two thousand five hundred dollars (\$2,500.00), said fine to be paid by certified or bank cashier's check, made payable to the order of the New York State Education Department, to be delivered to the Director, Office of Professional Discipline, New York State Education Department, 1411 Broadway, Tenth Floor, New York, New York 10018-3496, within ninety (90) days after the effective date of the service of the order to be issued in this matter.

I further agree to notify the New York State Education Department of my return to the practice of dentistry in the State of New York, by certified mail, return receipt requested, addressed to the Director, Office of Professional Discipline, New York State Education Department, as aforesaid, at least seven (7)

**LEONARD KUNDEL**

days prior to my return to the practice of dentistry in the State of New York.

I hereby make this application to the Board of Regents and request that it be granted.

I understand that in the event that the Board of Regents denies the application, nothing contained herein shall be binding upon me or construed to be an admission of any act of misconduct alleged or charged against me. Such application shall not be used against me in any way and shall be kept in strict confidence during the pendency of the disciplinary proceeding, and such denial by the Board of Regents shall be without prejudice to the continuance of the disciplinary proceeding and the final determination by the Board of Regents pursuant to the provisions of the Education Law.

I agree that in the event the Board of Regents grants my application, as set forth herein, an Order may be issued in accordance with the same. I understand that if and when the Board of Regents grants this application, the entire application shall become a matter of public record.

No promises of any kind were made to me. I am making this application of my own free will and accord and not under duress, compulsion, or restraint of any kind or manner.

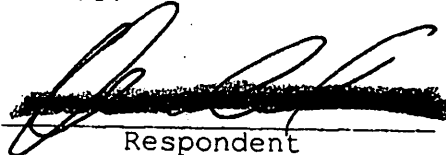
  
Respondent

EXHIBIT "A"

LEONARD KUNDEL

SPECIFICATION OF PROFESSIONAL MISCONDUCT

Respondent is charged with practicing the profession of dentistry with negligence on more than one occasion, within the purview and meaning of New York Education Law section 6509(2), in that:

Between 2006 and 2008, while practicing the profession of dentistry in the State of Connecticut, Respondent engaged in repeated acts of negligence with a patient for whom he had extracted all of her teeth and fabricated dentures, in that Respondent performed inadequate charting; extracted said patient's teeth without adequate clinical and/or radiographic indication; misdiagnosed and/or mistreated osteomyelitis; and twice prescribed medication without examining the patient.

EXHIBIT "B"

TERMS OF PROBATION

LEONARD KUNDEL

CALENDAR NO. 27294

1. That Respondent, during the period of probation, shall be in compliance with the standards of conduct prescribed by the law governing Respondent's profession;
2. That Respondent shall submit written notification to the New York State Education Department, addressed to the Director, Office of Professional Discipline, New York State Education Department, 1411 Broadway - Tenth Floor New York, New York 10018-3496, of any employment and/or practice, Respondent's residence, telephone number, or mailing address, and of any change in Respondent's employment, practice, residence, telephone number, or mailing address within or without the State of New York;
3. That Respondent shall submit written proof from the Division of Professional Licensing Services (DPLS), New York State Education Department (NYSED), that Respondent has paid all registration fees due and owing to the NYSED and Respondent shall cooperate with and submit whatever papers are requested by DPLS in regard to said registration fees, said proof from DPLS to be submitted by Respondent to the NYSED, addressed to the Director, Office of Professional Discipline, as aforesaid, no later than the first three (3) months of the period of probation;
4. That Respondent shall submit written proof to the NYSED, addressed to the Director, Office of Professional Discipline, as aforesaid, that 1) Respondent is currently registered with the NYSED, unless Respondent submits written proof that Respondent has advised DPLS, NYSED, that Respondent is not engaging in the practice of Respondent's profession in the State of New York and does not desire to register, and that 2) Respondent has paid any fines which may have previously been imposed upon Respondent by the Board of Regents, said proof of the above to be submitted no later than the first two months of the period of probation;
5. That Respondent shall make quarterly visits to an employee of the Office of Professional Discipline, New York State Education Department, unless otherwise agreed to by said employee, for the purpose of said employee monitoring Respondent's terms of probation to assure compliance therewith, and Respondent shall cooperate with said employee,

LEONARD KUNDEL

CALENDAR NO. 27294

including the submission of information requested by said employee, regarding the aforesaid monitoring;

6. That upon receipt of evidence of noncompliance with or any other violation of any of the aforementioned terms of probation, the New York State Education Department may initiate a violation of probation proceeding and/or such other proceedings pursuant to the Education Law and/or Rules of the Board of Regents.



NEW YORK STATE EDUCATION DEPARTMENT  
OFFICE OF PROFESSIONAL DISCIPLINE  
STATE BOARD FOR DENTISTRY

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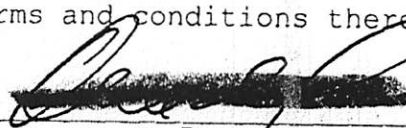
APPLICATION FOR  
CONSENT ORDER

CAL. NO. 27294

who is currently licensed to practice as  
a dentist in the State of New York.  
-----X

The undersigned agree to the above statement and to the  
proposed penalty based on the terms and conditions thereof.

Dated: 4/27/ , 2013


  
Respondent

ATTORNEY SIGNATURE NOT REQUIRED;  
RESPONDENT APPEARED PRO SE.

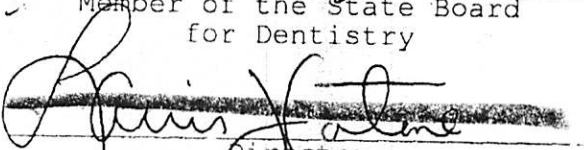
Dated: , 2013

Attorney for Respondent

Dated: 12/28/ , 2013

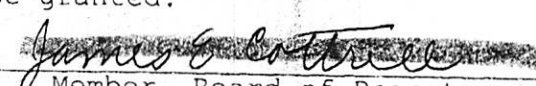
  
Member of the State Board  
for Dentistry

Dated: 2/12 , 2014

  
Director  
Office of Professional Discipline

The undersigned, a member of the Board of Regents who has  
been designated by the Chairman of the Regents Committee on  
Professional Practice to review this Application for a Consent  
Order, has reviewed said Application and recommends to the Board  
of Regents that the Application be granted.

Dated: 2/14 , 2014

  
Member, Board of Regents

/ebf