

DIVISION OF PROFESSIONAL LICENSING  
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**BEFORE THE DIVISION OF PROFESSIONAL LICENSING  
OF THE DEPARTMENT OF COMMERCE  
OF THE STATE OF UTAH**

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IN THE MATTER OF THE LICENSE OF  
**THOMAS ANDR'E ENDICOTT** UTAH  
LICENSE #8852757-9926 & 882757-8903 TO  
PRACTICE AS A DENTIST WITH LOCAL  
ANESTHESIA PERMIT AND TO  
PRESCRIBE AND ADMINISTER  
CONTROLLED SUBSTANCES IN THE  
STATE OF UTAH

**DEFAULT ORDER**  
Case No. DOPL-2024-20

**FINDINGS OF FACT**

1. Respondent is, and at all times relevant to this proceeding has been, licensed to practice in the State of Utah.
2. On or about March 29, 2018, the Respondent was arrested by Peoria Police Department in the State of Arizona for "Fail to register as a sex offender" a felony offense in the State of Arizona for which the Respondent pled guilty.
3. The Respondent did not disclose the arrest, conviction nor the ABDE investigation or action to the Division upon renewal of his license on May 3, 2018, or after renewal as required under Arizona law.
4. On or about October 11, 2018, the Arizona Board of Dental Examiners (ABDE) opened a complaint against the Respondent for failing to notify the ABDE regarding the arrest and guilty plea.
5. The Respondent did not renew the Respondent's license on May 31, 2020, the Respondent did reinstate the license November 23, 2020, and did not disclose the arrest, conviction nor the ABDE investigation or action to the Division.

6. In 2021 the Respondent performed a dental procedure on an elderly patient, emergency medical services were called, the patient was transported to a medical facility and expired. The Respondent reported the event to the ABDE.
7. On or about August 22, 2022, the ABDE and Respondent entered into a consent agreement prohibiting the Respondent from practicing as a dentist in the state of Arizona.
8. The Respondent did not report the ABDE's license revocation to the Division.
9. On or about January 10, 2024, the Division served upon the Respondent a Notice of Agency Action (the "Notice").
10. The Notice alleged that the Respondent had engaged in unprofessional conduct in violation of Utah Code § 58-1-501(2)(iv) by failing to notify the Division of both the ABDE's license revocation as well as the facts leading up to the revocation. The Notice sought appropriate disciplinary action against Respondent pursuant to Utah Code § 58-1-401(2).
11. The Notice classified this matter as an informal proceeding pursuant to Utah Administrative Code § R156-46b-202(2)(c).
12. The Notice required a written response within 30 days of the Notice pursuant to Utah Administrative Code § R156-46b-402.
13. The Respondent did not file a written response to the Notice as required.

### **CONCLUSIONS OF LAW**

14. Pursuant to the Utah Rules of Civil Procedure, the Respondent's time to file a written response expired on February 20, 2024
15. Respondent's failure to participate in this proceeding by submitting a written response as required by the Notice constitutes a basis for entry of default against Respondent and for an order to be issued solely based upon the evidence of record in the Division's file pursuant to Utah Code § 63G-4-209.
16. Consequently, the Division finds that the Respondent's conduct, constitutes unprofessional conduct in violation of Utah Code § 58-1-501(2)(iv) and is a sufficient basis for disciplinary action against Respondent in accordance with Utah Code Annotated § 58-1-401(2).

### **DEFAULT ORDER**

17. After careful consideration of this matter, the forgoing Findings of Fact and Conclusions of Law are hereby adopted by the Director upon the recommendation of the Bureau Manager.

**WHEREFORE, IT IS ORDERED** that the Respondent's default is entered.

**IT IS FURTHER ORDERED** that Respondent's license to practice as a dentist with or without a local anesthesia permit and to administer and prescribe controlled substances in Utah shall

be revoked and the Respondent shall not practice as a dentist with or without a local anesthesia permit and administer and prescribe controlled substances in Utah.

Nothing in the foregoing should be read or construed as to limit the Division's available remedies in the event further information is brought to the attention of the Division including, but not limited to, the imposition of administrative penalties pursuant to Utah Code § 58-1-502.

Dated this 22 day of February, 2024.

  
MARK B. STEINAGEL  
Director

#### NOTICE

Pursuant to U.C.A. §63G-4-209, a defaulted party may seek to have the agency set aside the default order, and any order in the adjudicative proceeding issued subsequent to the default order, by following the procedures outlined in the Utah Rules of Civil Procedure. A motion to set aside a default and any subsequent order shall be made to the presiding officer. A defaulted party may seek agency review under U.C.A. §63G-4-301, or reconsideration under U.C.A. §63G-4-302, only on the decision of the presiding officer on the motion to set aside the default.