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AG Coakley Obtains Judgment Against Former Dentist Gary Anusavice in Unlawful Dental Financing Case in Fall River and Weymouth

BOSTON – Attorney General Martha Coakley's Office has obtained a judgment against former dentist Gary Anusavice, 57, of East Greenwich, Rhode Island, resolving allegations that he orchestrated an unlawful dental treatment and financing scheme at three high-volume dental clinics he allegedly opened and managed: Fall River-based Spectrum Dental, later known as Coast Dental, and Weymouth-based Sierra Dental.

The judgment provides for Anusavice to pay the Commonwealth \$237,500 for victim restitution, civil penalties and attorney's fees and costs and permanently prohibits Anusavice, acting directly or indirectly, from operating any entity that provides or markets dental services in the Commonwealth. The judgment also prohibits Anusavice from participating in any way in any business that obtains or otherwise arranges credit or loans for consumers in the Commonwealth of Massachusetts.

"The victims in this case were coerced into signing up for extensive dental treatment and financing that left them in significant physical, financial and emotional distress," said Attorney General Martha Coakley. "We are pleased that we were able to obtain a judgment that prohibits this former dentist from repeating his deceptive scheme in the Commonwealth."

According to the Attorney General's lawsuit, filed in September 2008 in Suffolk Superior Court, Anusavice, in concert with fourteen other defendants: 1) lured patients to the practices with deceptive marketing; 2) used unfair, coercive and high-pressure sales tactics to induce patients to agree to costly dental treatment plans on the day of their first visits and, in the majority of cases, to finance those treatment plans using third party financing they arranged; 3) billed the third party financing companies for the entire treatment plan on the patients' first visit; and 4) commenced the treatment plan at the time of the first visit but then failed to complete the treatment plan at subsequent visits or provided shoddy treatment.

As patient complaints about the defendants' practices escalated to authorities, regulators, insurers and financing companies, the Commonwealth alleged the defendants abandoned the practices without notice to patients and without providing them the confidential medical records, prostheses, x-rays and other materials that patients had paid for but had not received and which were needed to complete the patients' dental treatments. The Commonwealth is in possession of over 265 complaints from patients who suffered significant physical and financial harm as a result of the unfair and deceptive dental treatment and financing scheme.

The Commonwealth expects claims against five remaining defendants to go to trial. This includes the alleged managers of the practices Michael Rinaldi, Joseph Robbio, Vincent O'Neill and Heather Pavao, and dentist Dr. Merhad Haghkerdar a/k/a Michael Kane. The Attorney General's Office expects the trial to be scheduled for some time next year.

Following discussions with the Attorney General's Office in 2009, several major banks that had provided financing to victims of the practices voluntarily agreed to refund disputed amounts paid by consumers and waive disputed account balances, resulting in hundreds of thousands of dollars of relief to consumers who had financed their dental work.

This matter was handled by Assistant Attorneys General Gillian Feiner and Jeanne Veenstra of Attorney General Coakley's Consumer Protection Division and Special Assistant Attorney General Jeffrey D. Clements of Clements Law Office, LLC, with assistance from paralegal Yolanda Kruczkowski of Attorney General Coakley's Consumer Protection and mediators in Attorney General Coakley's Health Care Division. The case was investigated by Quinton Dale, Chief of Attorney General Coakley's Investigations Division with the assistance of investigators Monique Cascarano, William Mackay and Dante Annicelli.

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