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STATE OF NEW JERSEY
DEPARTMENT OF LAW AND PUBLIC
SAFETY
DIVISION OF CONSUMER AFFAIRS
STATE BOARD OF DENTISTRY
DOCKET NO.

In the Matter of the Suspension)
or Revocation of the License of)

JOSEPH P. MATRISS, D.D.S.)

To Practice Dentistry in the)
State of New Jersey)

Administrative Action

DECISION AND ORDER

This matter was opened to the New Jersey State Board of Dentistry upon the filing of a Notice of Motion for Enforcement of Litigant's Rights and Suspension of License by Robert J. Del Tufo, Attorney General of New Jersey, by Kathy Rohr, Deputy Attorney General. In support of the Motion was attached the Certification of Agnes Clarke, Executive Director of the Board, which stated that the respondent failed to comply with the terms and conditions of a Consent Order filed on April 26, 1990, and further with the terms and conditions of a Decision and Order of the Board entered on January 15, 1991, in that he had failed to submit documentation proving the successful completion of forty (40) hours of continuing education in crown and bridge dentistry.

A hearing on the matter was held on October 2, 1991. Deputy Attorney General Kathy Rohr appeared on behalf of the Attorney General, and Joseph Guez, Esq., appeared on behalf of the respondent. D.A.G. Rohr advised the Board that this was the second enforcement action filed against Dr. Matriss in an attempt to bring the respondent into compliance with the terms to which

he agreed in the Consent Order dated April 26, 1990. The Board's Decision and Order entered on January 9, 1991, subsequent to the first enforcement action provided that if the respondent failed to submit a fully approved list of courses in continuing education in crown and bridge dentistry by January 15, 1991, his license to practice dentistry would be automatically suspended effective that date. D.A.G. Rohr advised the Board that, in fact, the respondent had provided a list of courses to the Board on January 14, 1991, and those courses were approved in their entirety pursuant to a telephone survey of Board members. However, to date Dr. Matriss had failed to provide the Board with any documentation demonstrating the successful completion of any of the approved courses.

Dr. Matriss testified that of the six (6) courses which had been approved by the Board, he recalled taking one or two of these courses. However, he did not bring with him documentation demonstrating completion of the course and could not recall specifically the titles of the courses. He further testified that to the best of his recollection he was denied admission to one of the courses because it was filled, and two of the courses had been cancelled due to insufficient interest. He was able to provide documentation only in regard to the cancellation of one of the courses. The respondent advised the Board that he did not submit any other courses for approval to take the place of courses which he was unable to take, and he claimed to be in the process of exploring courses offered for the fall term at the various local dental schools and societies offering such courses.

Dr. Matriss stated that he was not trying to avoid his obligations and that he was willing to take any courses which were approved and recommended by the Board.

Accordingly, the Board finds once again that the respondent has failed to comply with a substantive term of the Consent Order which was filed with the Board on April 26, 1990, in that he has continuously failed to provide proof of successful completion of the required continuing education courses in crown and bridge dentistry. Further, it is to be noted that the continuing education courses were to be completed within six (6) months of the entry date of the Order. As of October 2, 1991, the respondent has failed to prove the completion of even one continuing education course.

In view of the fact that the respondent has willfully and flagrantly failed to comply with the requirements of a Consent Order and has presented no persuasive mitigating factors to this Board aside from his continuing assertions that he intends to take these courses and for good cause shown,

IT IS, THEREFORE, ON THIS 16 DAY OF OCTOBER, 1991,

HEREBY ORDERED THAT:

1. The respondent is hereby assessed a civil penalty in the amount of \$1,000.00. Said penalty shall be submitted to the Board of Dentistry office by certified check or money order made payable to the State of New Jersey no later than the first day of the month following the entry date of this Order.

2. The respondent shall submit verification of any completed courses by submitting to the Board documentation from

the institution demonstrating successful completion of the course and a copy of the cancelled check demonstrating payment for the course.

3. The respondent shall successfully complete forty (40) hours of continuing education in crown and bridge dentistry by December 31, 1991. Any courses which have not yet been approved by the Board must be submitted to the Board in writing or by telephone prior to attendance for approval. The respondent shall be responsible to provide the Board with written proof of successful completion of the required course work no later than December 31, 1991.

4. In the event the respondent fails to submit documentation demonstrating successful completion of forty (40) hours of continuing education in crown and bridge dentistry by December 31, 1991, his license to practice dentistry in the State of New Jersey shall automatically be suspended effective on that date. The respondent's license shall remain suspended until such time as he makes application to the Board for reinstatement supported by proof of forty (40) hours of continuing education in crown and bridge dentistry which has been approved by the Board.



William R. Cinotti, D.D.S.
President
State Board of Dentistry