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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) Administrative Action  
or Revocation of the License of )  
EDWIN S. FREEDMAN, D.D.S. ) DECISION AND ORDER  
To Practice Dentistry in the )  
State of New Jersey )

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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 February 7, 1991. The Order required, among other things, that respondent successfully complete fifty (50) hours of continuing education within six (6) months of the entry date of the Order. No list of courses had been submitted to the Board for prior approval as required, aside from a letter dated August 6, 1991, from the respondent indicating video courses already taken, and no documentation had been submitted to the Board proving the successful completion of course work as required.

A hearing on the matter was held on October 2, 1991. Deputy Attorney General Kathy Rohr appeared on behalf of the Attorney

General, and the respondent appeared pro se. He was advised by the Board of his right to be represented by counsel in these proceedings, but he advised the Board that it was his intention to proceed without counsel. D.A.G. Rohr advised the Board that to date no further submissions had been made by the respondent in regard to a list of courses to be approved by the Board or proof of successful completion of the required continuing education courses. The letter from Dr. Freedman dated August 6, 1991, describing three video courses that he had already taken remained the only submission made to the Board.

Dr. Freedman testified that he believed the requirement of the Consent Order that he complete forty (40) hours of continuing education in crown and bridge dentistry and ten (10) hours in basic endodontics was unrealistic and unfair. He advised the Board that he had been in practice for many years, and he did not feel that he was in need of such remediation. He stated that the Board was being unduly harsh in requiring compliance with the terms of the Consent Order. The respondent requested that the Board accept the video courses which he had already taken and consider accepting future video courses for the purpose of completing the requirement if necessary. Upon questioning by various Board members, Dr. Freedman admitted that he freely entered into the terms of the Consent Order and that he understood its conditions at the time he signed it. However, he was requesting that the Board reconsider those terms at this time.

Accordingly, the Board finds that the respondent has failed

to comply with a substantive term of a Consent Order which was filed with the Board on February 7, 1991, in that he failed to submit a list of proposed courses to the Board or provide written proof of successful completion of the required course work within six (6) months of the entry date of the Order. The Board further finds that the Consent Order was entered in resolution of a patient complaint concerning the dental services rendered by the respondent which included the provision of a fixed bridge. Prior to the entry of the Consent Order, the Board fully reviewed the patient's records, the report of the Board's expert consultant and acquired information at an investigative inquiry attended by Dr. Freedman. The record persuaded the Board that the respondent was in need of remediation in the areas of crown and bridge dentistry and basic endodontics.

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 mitigating factors persuasive to this Board and for good cause shown,

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

HEREBY ORDERED THAT:

1. The respondent shall successfully complete forty (40) hours of continuing education in basic crown and bridge dentistry and ten (10) hours of continuing education in basic endodontics as previously required in the Consent Order entered on February 7, 1991. These courses shall be approved by the Board in writing prior to attendance. Video courses shall not be acceptable. The respondent shall be required to complete all course work no later

than March 31, 1992. The respondent also shall be required to provide the Board with written proof of successful completion of the required course work. Such written proof shall consist of verification of completed courses by documentation from the institution offering the course and a copy of a cancelled check demonstrating payment for the course.

2. The respondent is hereby assessed a civil penalty in the amount of \$1,000.00. Said penalty shall be submitted to the Board 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.

3. In the event the respondent fails to complete forty (40) hours of continuing education in basic crown and bridge dentistry and ten (10) hours of continuing education in basic endodontics in Board approved courses and submit proof of completion by March 31, 1992, 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 verification of completion of the required course work.

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