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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 )  
 )  
NEAL LEE GORDON, D.D.S. )  
 )  
Licensed to Practice Dentistry )  
in the State of New Jersey )  
\_\_\_\_\_ )

Administrative Action  
CONSENT ORDER

This matter was opened to the New Jersey State Board of Dentistry ("Board") upon receipt of report disclosing the results of a Board investigation concerning allegations that unlicensed persons were performing duties beyond the scope of permissible practice in the dental office of the respondent and Lawrence Heinbach, D.D.S. known as The Burlington Dental Care Center. It appears to the Board that in a period commencing in 1990 the respondent repeatedly permitted unlicensed dental assistants to perform those dental procedures reserved by law to registered dental hygienists. It further appears to the Board that the

respondent and Dr. Heinbach caused these assistants to initial the patient charts to make it appear that the dental hygiene procedures had been performed by the respondent or Dr. Heinbach. Said conduct constitutes violations of N.J.S.A. 45:1-21(c) and N.J.S.A. 45:6-61 providing that any licensed dentist who permits any unlicensed person to practice dental hygiene under his direction or control shall be guilty of conduct constituting willful and gross malpractice or willful and gross neglect in the practice of dentistry.

It appearing that the parties wish to resolve this matter without recourse to formal proceedings and for good cause shown;

IT IS ON THIS 29<sup>th</sup> DAY OF August, 1995,

HEREBY ORDERED AND AGREED THAT:

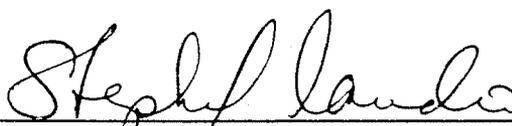
1. The license of the respondent to practice dentistry in the State of New Jersey shall be and is hereby suspended for a period of one (1) year. Eighty-nine (89) days of this suspension shall be active and shall commence on December 1, 1995. The remaining period of suspension shall be stayed and constitute a probationary period. The respondent shall derive no financial remuneration directly or indirectly related to patient fees paid for dental services rendered during the period of active suspension by other licensees for patients of respondent's practice. Respondent shall not be permitted to enter upon the premises of the dental facility during the period of active suspension or provide any consultation to other licensees rendering treatment to patients of the respondent or sign or submit insurance claim forms for treatment rendered during the period of active suspension or render other administrative or supervisory duties during the period of active suspension.

2. Respondent is hereby assessed a civil penalty in the amount of \$10,000.00. The civil penalty shall be submitted by certified check or money order made payable to the State of New Jersey and submitted to the Board of Dentistry in six (6) equal monthly installments of \$1,666.67 which shall be due no later than the first day of each month commencing October 1, 1995. Any failure to make a payment when due shall cause the entire remaining balance to become immediately due and payable.

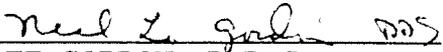
3. Respondent shall cease and desist any and all further acts of employing, aiding or abetting, or permitting unlicensed dental assistants to perform functions reserved to registered dental hygienists or dentists. Respondent shall comply in all respects with the parameters for permissible duties for dental auxiliaries as set forth specifically in N.J.A.C. 13:30-2.3 and 2.4.

4. Respondent is hereby reprimanded and cautioned that more serious penalties will be imposed in the event subsequent complaints of a similar nature are filed against him.

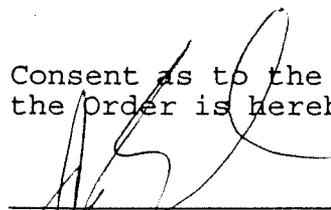
5. Respondent is hereby assessed the costs of the investigation to the State in this matter in the amount of \$2,000.00. Said costs shall be submitted by certified check or money order made payable to the State of New Jersey and submitted to the Board of Dentistry no later than October 1, 1995.

  
STEPHEN CANDIO, D.D.S.  
PRESIDENT  
STATE BOARD OF DENTISTRY

I have read and understand  
the within Order and agree  
to be bound by its terms.  
Consent is hereby given to  
the Board to enter this Order.

  
NEAL LEE GORDON, D.D.S.

Consent as to the form of  
the Order is hereby given.

  
JOHN PAUL DIZZIA, ESQ.  
Counsel for Respondent