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N.J. BOARD OF DENTISTRY  
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STATE OF NEW JERSEY  
DEPARTMENT OF LAW AND PUBLIC SAFETY  
DIVISION OF CONSUMER AFFAIRS  
STATE BOARD OF DENTISTRY

\_\_\_\_\_  
In the Matter of :  
: Administrative Action  
GILBERT GLASS, D.M.D. :  
:  
: CONSENT ORDER  
Licensed to Practice Dentistry: :  
in the State of New Jersey :  
\_\_\_\_\_

This matter was opened to the New Jersey State Board of Dentistry ("Board") on the basis of information received that on or about July 19, 1996 a Judgment of Conviction was entered by the New Jersey Superior Court, Union County, Law Division-Criminal, wherein Gilbert Glass, D.M.D. ("respondent") entered a plea of guilty to two counts of Theft by Deception, a fourth degree offense, in violation of N.J.S.A. 2C:20-4. The respondent was sentenced to a two year probation under specific conditions ordered by the Court, including, but not limited to, making payment to the Department of Insurance in the amount of \$150,000. Further, the Court noted that pursuant to a plea agreement, respondent had made restitution to Unity Dental Health Services, P.A. in the amount of \$50,000 and to Delta Dental Plan of New Jersey, Inc. in the amount of \$600,000. The aforementioned constitutes grounds for suspension or revocation of respondent's license to practice dentistry in the State of New

Jersey in that respondent has been convicted of a crime involving moral turpitude and relating adversely to the dental profession in violation of N.J.S.A. 45:1-21(f) and N.J.S.A. 45:6-7(b).

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

IT IS ON THIS 23<sup>rd</sup> DAY OF JULY 1997

HEREBY ORDERED AND AGREED THAT:

1. The license of respondent Gilbert Glass, D.M.D. to practice dentistry in the State of New Jersey shall be suspended for a period of five years. The first two years shall be an active suspension, and the remaining three years shall be a probationary period. The period of active suspension shall commence thirty days from the filing of the within Consent Order; and at that time, respondent shall submit any and all wall certificates, including but not limited to, his dentistry license and C.D.S. and D.E.A. registrations to Agnes Clarke, Executive Director, the Board of Dentistry at 124 Halsey Street, 6th Floor, Newark, New Jersey 07102.

2. During the two years of active suspension, respondent shall not own or otherwise maintain a pecuniary or beneficial interest in a dental practice or function as a manager, proprietor, operator or conductor of a place where dental operations are performed, or otherwise practice dentistry within the meaning of N.J.S.A. 45:6-19. Respondent shall observe the provisions of the Directives for dentists whose license have been suspended or

revoked, a copy of which is attached hereto and is incorporated into the within Consent Order.

3. Respondent shall divest himself of all shares or equity interest in American Dental Centers, P.A. and American Dental Center of Eatontown, P.A. which respondent represents are the only dental practices in which he has shares and/or an equity interest. The divestiture shall be pursuant to an "arms-length" transaction, and transfer of any shares or equity interest to a member of respondent's immediate family shall not be deemed a divestiture. "Immediate family" includes a spouse, children, siblings and parents. Respondent shall complete such divestiture within ninety (90) days of the entry of the within Consent Order and shall furnish proof of divestiture to the satisfaction of the Board.

4. When respondent returns to active practice, respondent shall not buy back or obtain any equity interest in the practices which he is divesting himself of pursuant to the within Consent Order.

5. Respondent is hereby assessed a civil penalty in the amount of \$5,000.00. Payment shall be in the form of a certified check or money order made payable to the State of New Jersey and submitted to Agnes Clarke, Executive Director, Board of Dentistry within thirty days from the filing of the within Consent Order.

6. Respondent shall be assessed costs, if any, related to the investigation of this matter. In the event that costs are ascertained, Ms. Clarke shall send a statement of such costs to the respondent. Within thirty days of the receipt of such statement,

he shall pay the costs by certified check or money order made payable to the State of New Jersey and sent to Ms. Clarke.

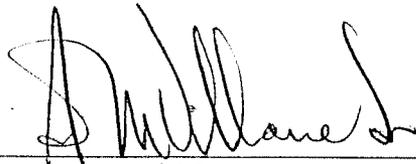
7. Respondent shall cease and desist from any and all misrepresentation, fraud, deception or any other unlawful act in connection with the submission of insurance claims relating to dental treatment.

8. Upon resumption of active practice, random and unannounced audits of respondent's patient records and billing records may be conducted by the Board's designees at the Board's discretion and at the expense of the respondent for the entire probationary period. On demand made, respondent shall immediately make available all records necessary to conduct the audit as determined by the Board or its designees. The costs of each such audit shall be based on the standard hourly rate for the Board's investigators prevailing at the time of the audit and shall be due and payable within thirty days of the respondent's receipt of a statement of such costs from the Executive Director of the Board.

9. Respondent is hereby reprimanded for his conduct leading to his plea of guilty to two counts of Theft by Deception in the fourth degree.

10. Any failure to comply with the provisions of this Consent Order shall be grounds for the Attorney General to apply for a summary hearing before the Board or any three members of this Board as the President may designate for this purpose on three (3) days notice to respondent or his attorney. The proof at such hearing

shall be limited to the issue of whether this Consent Order has been violated and any evidence in mitigation of sanction. Upon proof by a preponderance of the evidence of a material violation of the within Consent Order, the Board members hearing the matter may summarily make the five year suspension a fully active suspension, may revoke respondent's license, or may take whatever other action is deemed appropriate.



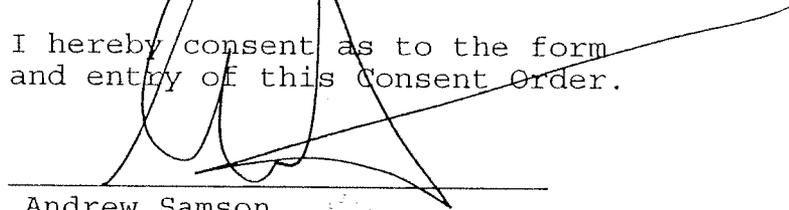
Anthony Villane, Jr. D.D.S.  
President  
State Board of Dentistry

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



Gilbert Glass, D.M.D.

I hereby consent as to the form and entry of this Consent Order.



Andrew Samson  
Attorney for Respondent