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STATE OF NEW JERSEY
DEPARTMENT OF LAW & PUBLIC SAFETY
DIVISION OF CONSUMER AFFAIRS
BOARD OF DENTISTRY

IN THE MATTER OF)
)
ROBERT H. HWANG, D.D.S.)
LICENSE NO. DI 13079)
)
TO PRACTICE DENTISTRY)
IN THE STATE OF NEW JERSEY)
_____)

Administrative Action

FINAL ORDER
OF DISCIPLINE

This matter was initiated by the New Jersey State Board of Dentistry ("Board") through the entry of a Provisional Order of Discipline on March 3, 1999, based on information that Robert H. Hwang, D.D.S. ("respondent"), had been arrested on September 18, 1997, and on March 16, 1998 pled guilty to fourth degree resisting arrest. Respondent did not disclose the arrest or conviction on his renewal application. The Provisional Order found that the facts supported a finding that respondent had engaged in the use or employment of dishonesty, fraud, deception, misrepresentation, false promise or false pretense warranting discipline. The Board provisionally reprimanded respondent and assessed a civil penalty of \$2500.00. In response Dr. Hwang submitted a check to the Board for the amount of the penalty but offered no contradictory facts or

explanation or mitigation for his failure to report the conviction of the renewal application. Therefore the Board finds no reason to alter its preliminary findings of fact and conclusions of law and adopts the following:

FINDINGS OF FACT

1. Robert H. Hwang, D.D.S. ("respondent") is a dentist in the State of New Jersey and has been a licensee at all times relevant hereto.

2. Respondent was arrested on December 8, 1996, 1997 in connection with a domestic violence dispute.

3. On September 18, 1997, respondent was indicted in Bergen County, New Jersey on charges of aggravated assault (N.J.S.A. 2C:12-1b(7)), aggravated assault against a police officer (N.J.S.A. 2C: 12-1b(5)), and resisting arrest (N.J.S.A. 2C: 29-2A).

4. On March 16, 1998, respondent pled guilty to one count of fourth degree resisting arrest arising out of a police response to a domestic violence incident.

5. On May 8, 1998, respondent was sentenced to three years probation, 100 hours of community service, and participation in Alternatives to Domestic Violence counseling.

6. On March 2, 1998, respondent signed his license renewal application on which he certified that the information on the form was true and complete.

7. In response to question 2: "Have you been arrested, charged or convicted for the violation of any law or regulation since your last renewal?" respondent checked "NO."

8. On March 2, 1998, the date on which respondent signed the application, he had been arrested and charged with violation of laws.

9. Respondent submitted a renewal application to the Board which contained false information.

CONCLUSIONS OF LAW

1. The above findings provide grounds for disciplinary action against respondent pursuant to N.J.S.A. 45:1-21 (b), in that respondent has engaged in the use or employment of dishonesty, fraud, deception, misrepresentation, false promise or false pretense.

ACCORDINGLY, IT IS ON THIS 29 DAY OF April, 1999,

ORDERED that:

1. Robert H. Hwang, D.D.S., is hereby reprimanded for engaging in the use or employment of dishonesty, fraud, deception misrepresentation, false promise or false pretense in violation of N.J.S.A. 45:1-21 (b).

2. Respondent is assessed a civil penalty in the amount of \$2,500 for engaging in the use or employment of dishonesty, fraud, deception misrepresentation, false promise or false pretense in violation of N.J.S.A. 45:1-21 (b). Payment of the penalty has been made to the Board.

New Jersey Board of Dentistry

By: Abraham Samensky
Abraham Samensky, D.D.S.
President