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

IN THE MATTER OF

DAVID W. HOSTNIK, D.M.D.  
License No. DI 14380

LICENSED TO PRACTICE DENTISTRY  
IN THE STATE OF NEW JERSEY

Administrative Action

CONSENT ORDER

CERTIFIED TRUE COPY

This matter was opened to the New Jersey State Board of Dentistry ("Board") upon receipt of information that David W. Hostnik, D.M.D. ("respondent"), had rendered treatment to patients in a manner not consistent with the standard of care in this State. Specifically, it has been alleged that as to patient A.B., respondent placed a crown on tooth number 18 that had both open contacts and open margins which subsequently required additional dental services. As to patient J.M., respondent failed to diagnose, to plan an appropriate course of treatment, and to execute treatment for the patient's condition. On January 17, 2001, respondent appeared without counsel, at an investigative inquiry into the matter held by the Board.

Having reviewed the entire record, including the testimony of respondent at the investigative inquiry, it appears to the Board that respondent's treatment of patients A.B. and J.M. constitutes repeated acts of negligence. It further appears that respondent failed to maintain adequate patient

records for patient J.M. in violation of N.J.A.C. 13:30-8.7, in that there was inadequate charting; no comprehensive treatment plan; no entry regarding local anesthesia that was given; no indication that treatment options were discussed with the patient; and no notation regarding the impression material used.

These facts establish basis for disciplinary action pursuant to N.J.S.A. 45:1-21(d) and (h). It appearing that respondent desires to resolve this matter without admissions and without recourse to formal proceedings and for good cause shown:

IT IS ON THIS 23<sup>rd</sup> DAY OF July 2001,

HEREBY ORDERED AND AGREED THAT:

1. Respondent shall successfully complete the following continuing education: twenty eight (28) hours including fourteen (14) hours in crown and bridge (didactic) and seven (7) hours in "hands on" crown and bridge and seven (7) hours in diagnosis and treatment planning. These courses shall be completed within eleven months of the entry of this Consent Order. Further, these courses, which are in addition to the regularly required continuing education hours, shall be approved by the Board in writing prior to attendance. Respondent shall complete the attached continuing education Report and Proof of Attendance as proof of successful completion of the required course work. The attached forms are made a part of this Consent Order, and a separate form is to be used for each course.

2. Respondent shall reimburse the patient identified in this consent order as patient A.B. the sum of \$500. Respondent shall reimburse the patient identified in this consent order as patient J.M.. the sum of \$2864 and shall forgive the balance of \$1330. A certified check or money order made payable to A.B. and J.M. shall be sent within twenty-one (21) days of the entry date of this Consent Order to Kevin B. Earle, Executive Director, Board of Dentistry, P.O. Box 45005, 124 Halsey Street, Sixth Floor, Newark, New Jersey 07101.

3. Respondent is hereby assessed civil penalties, pursuant to N.J.S.A. 45:1-22 in the amount of \$500 for conduct with respect to his failure to maintain an adequate patient record for patient J.M. no later than twenty-one (21) days from the entry of this Consent Order. Payment for the civil penalties shall be submitted by certified check or money order made payable to the State of New Jersey and shall be sent to Kevin B. Earle, Executive Director, at the address described in paragraph #2. Subsequent violations will subject respondent to enhanced penalties pursuant to N.J.S.A. 45:1-25.

4. Respondent is hereby assessed the costs of the investigation to the State in this matter in the amount of \$ 292.34. Payment for the costs shall be submitted by certified check or money order made payable to the State of New Jersey and submitted to the Board no later than twenty-one (21) days from the entry of this Consent Order. Payment shall be sent to Kevin Earle at the address described in paragraph #2.

5. Failure to remit any payment required by this Order will result in the filing of a certificate of debt.

6. Failure to comply with any of the terms of this consent order may result in further disciplinary action.

NEW JERSEY STATE BOARD OF DENTISTRY

By: Barbara A. Rich, D.D.S.  
Barbara A. Rich, D.D.S.  
Board President

I have read and understand this Consent Order and agree to be bound by its terms. I consent to the entry of this Order.

David W. Hostnik, D.M.D.

7/1/01  
Date