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

IN THE MATTER OF THE
APPLICATION OF

ROBERT WOLLMAN, D.D.S.

TO PRACTICE DENTISTRY
IN THE STATE OF NEW JERSEY

Administrative Action

ORDER

The State Board of Dentistry received a request from Robert Wollman, D.D.S. (respondent), for reinstatement of his license which he had voluntarily surrendered by order entered on August 1, 2001. The Board entered the order following review of information that demonstrated that Dr. Wollman, who has had a long history of disciplinary actions based on his substance abuse, had suffered a relapse.

In support of his application to return to practice, Dr. Wollman provided information regarding the steps he had taken following his surrender, including an inpatient treatment program and continuing participation in an outpatient program as well as

urine monitoring by the Chemical Dependency Program of the New Jersey Dental Association.

Because of Dr. Wollman's history of relapse, the Board referred him to Ricardo J. Fernandez, M.D., for an independent psychiatric evaluation. Dr. Fernandez's report, along with that of William Keene, D.D.S., M.A., Director of the New Jersey Dental Association's Chemical Dependency Program, have persuaded the Board that Dr. Wollman's return to practice with restrictions would be appropriate. Those restrictions include urine monitoring, attendance at AA/NA meetings, psychotherapeutic counseling, and compliance with all Chemical Dependency Program directives. Further, in his request for reinstatement, Dr. Wollman stated that he intends to work in a group practice with other health care providers. The Board believes Dr. Wollman's return to practice under supervision, along with the requirements of this order, will help to prevent a relapse and ensure that should a relapse occur, it is reported immediately to the Board.

The Board will not tolerate any deviation from the terms of this order. The entry of this order does not limit the right of the Attorney General to pursue an application pursuant to N.J.S.A. 45:1-22 for relief before the Board, including an application for the temporary suspension of respondent's license should the Board or the Attorney General determine that Dr. Wollman has not complied with this order. The Board finds the restrictions

set forth here are adequately protective of the public health, safety and welfare.

THEREFORE, IT IS ON THIS 5th DAY OF FEBRUARY, 2003,

ORDERED:

1. (a.) Dr. Wollman shall submit to random urine sampling at a minimum of once a week at a laboratory facility approved by the Board. The urine testing requirement shall continue until further order of the Board expressly reducing or discontinuing testing. Dr. Wollman shall be provided with specific directions for the protocol of the testing procedure and the location of the laboratory facility by the Executive Director of the Board. The urine monitoring shall be conducted with direct witnessing of the taking of the samples as designed by the laboratory facility. The initial drug screen shall utilize appropriate screening techniques and all confirming tests and/or secondary tests will be performed by gas/chromatography/mass spectrometry (G.C./M.S.). The testing procedure shall include a forensic chain of custody protocol to ensure sample integrity and to provide documentation in the event of a legal challenge.

(b.) All test results shall be provided to Kevin B. Earle, Executive Director of the Board, or his designee in the event he is unavailable. The Board also will retain sole discretion to modify the manner of testing in the event technical developments or individual requirements indicate that a different

methodology or approach is required in order to guarantee the accuracy and reliability of the testing.

(c.) Any failure by Dr. Wollman to submit or provide a urine sample within twenty-four (24) hours of a request will be deemed to be equivalent to a confirmed positive urine test. In the event Dr. Wollman is unable to appear for a scheduled urine test or provide a urine sample due to illness or other impossibility, consent to waive that day's test must be secured from Kevin B. Earle, or his designee. Personnel at the lab facility shall not be authorized to waive a urine test. In addition, Dr. Wollman must provide the Board with written substantiation of his inability to appear for a test within two (2) days, e.g., a physician's report attesting that he was so ill that he was unable to provide the urine sample or appear for the test. "Impossibility" as used in this provision shall mean an obstacle beyond the control of Dr. Wollman that is so insurmountable or that makes appearance for the test or provision of the urine sample so infeasible that a reasonable person would not withhold consent to waive the test on that day.

(d.) In the event Dr. Wollman will be out of the State for any reason, the Board shall be so advised so that arrangements may be made at the Board's discretion for alternate testing.

(e.) Any urine test result showing creatinine levels below 20 mg/dL and a specific gravity below 1.009 shall be deemed a confirmed positive urine test.

(f.) Dr. Wollman shall familiarize himself with all foods, food additives or other products (such as poppy seeds) which may affect the validity of urine screens, be presumed to possess that knowledge, and shall refrain from the use of such substances. Ingestion of such substances shall not be an acceptable reason for a positive urine screen and/or failure to comply with the urine monitoring program.

(g.) The Board may, in its sole discretion, modify the frequency of testing or method of testing during the monitoring period.

2. Dr. Wollman shall continue his participation with the Chemical Dependency Program ("CDP") and shall have monthly face to face contact with representatives from that program. Dr. Wollman shall comply with after care as directed by the CDP and shall comply with any recommended therapeutic regime for treatment or counseling. Dr. Wollman shall be responsible for ensuring that any treating psychologist and any other person(s) providing therapy for his addiction provide the Board with quarterly reports regarding his progress in counseling.

3. Dr. Wollman shall attend support groups, including NA or AA not less than five (5) times per week. Dr. Wollman shall

provide evidence of attendance at such groups directly to the Board. If Dr. Wollman has discontinued attendance at any of the support groups without obtaining approval of the Board, he shall be deemed in violation of this Order.

4. Dr. Wollman shall abstain from the use of alcohol and controlled dangerous substances and shall not possess any controlled dangerous substances except pursuant to a bona fide prescription written by a physician or dentist for good medical or dental cause in his own treatment. In addition, Dr. Wollman shall advise any and all treating physicians and/or dentists of his history of substance abuse. Dr. Wollman shall cause any physician or dentist who prescribes medication which is a controlled dangerous substance to provide a written report to the Board together with patient records indicating the need for such medication. Such report shall be provided to the Board no later than two (2) days subsequent to the prescription in order to avoid confusion which may be caused by a confirmed positive urine test as a result of such medication.

5. Dr. Wollman shall participate in individual psychotherapy sessions not less than two times a month to address psychological and interpersonal issues that increase his risk of relapse. Dr. Wollman shall provide the name and address of the treating psychiatrist or psychologist to the Board and shall

provide him or her with a copy of this order and prior Board orders.

6. Dr. Wollman shall provide any and all releases to any and all parties who are participating in a monitoring, treatment, or other program as outlined in this order, as may be required in order that all reports, records, and other pertinent information may be provided to the Board in a timely manner. With regard to any requirement for submission of the quarterly reports to the Board, the beginning of the first quarter is deemed to have commenced February 1, 2003.

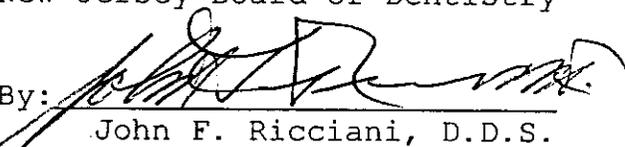
7. (a.) Dr. Wollman shall work only in a group practice and shall perform clinical services only when another licensed dentist is present. Dr. Wollman shall notify the Board of the practice name and location and shall provide a copy of this order and any further orders of the Board related to him to the owner or owners of the practice.

(b.) Dr. Wollman shall provide to the Board a signed statement by the owner or owners of the practice that he or they accept responsibility for ensuring that Dr. Wollman will engage in the clinical practice of dentistry only when another licensed New Jersey dentist is present and that he or they agree to report any relapses or suspected relapses by Dr. Wollman to the Board of Dentistry within twenty-four (24) hours thereof.

8.(a.) Dr. Wollman shall be subject to an order of automatic suspension of his license upon the Board's receipt of any information which the Board, in its sole discretion, deems reliable demonstrating that respondent has failed to comply with any of the conditions set forth in this consent order, including but not limited to report of a confirmed positive urine, or a prima facie showing of a relapse or recurrence of alcohol or drug abuse.

(b.) Dr. Wollman shall have a right to apply for removal of the automatic suspension on ten (10) days notice to the Board and to the Attorney General. The Board may hold a hearing on that application before the full Board or before a committee of the Board. In the event a committee hears the application, its action shall be subject to ratification of the full Board at its next scheduled meeting. In a hearing seeking removal of the automatic suspension, any confirmed positive urine shall be presumed valid.

New Jersey Board of Dentistry

By: 

John F. Ricciani, D.D.S.
President