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

CERTIFIED TRUE COPY

IN THE MATTER OF

JOHN P. LEONARD, D.D.S.
License No. DI 10467

LICENSED TO PRACTICE DENTISTRY
IN THE STATE OF NEW JERSEY

Administrative Action

CONSENT ORDER OF REINSTATEMENT

This matter was opened to the New Jersey State Board of Dentistry ("Board") upon the application of John P. Leonard, D.D.S. ("respondent"), seeking to reinstate his license to practice dentistry. Respondent signed a consent order of voluntary surrender of license dated December 4, 2002. According to that order, respondent agreed to immediately surrender his license to practice dentistry in the State of New Jersey for a minimum of six months from the date of his cessation of practice on July 31, 2002. Respondent entered into this order following the Board's receipt of information that respondent had tested positive for use of Percocet and had entered an inpatient treatment program. Respondent had entered into a Consent Order with the Board, based on his substance abuse, in November 2001.

Pursuant to the order of voluntary surrender, respondent, at the time he seeks reinstatement, is required to appear before the Board and demonstrate that he is capable of discharging the functions of a licensee in a manner consistent with the public's health, safety and welfare and that he is not currently suffering from any impairment or limitation resulting from the use of any CDS or other substance, whether legal or illegal, which could affect his practice. Respondent is further required to provide the Board with reports from each and every mental health professional who has participated in his care and/or treatment.

The Board has now received a report from Alan A. Cavaiola, Ph.D., a psychologist who performed an evaluation of respondent at the request of the Board, as well as a report from Edward Reading, Ph.D., CADC, assistant director of the Physicians' Health Program ("PHP"). Additionally, Dr. Reading has been in consultation with Harold Clottworthy, CADC, who has been providing

treatment to respondent. All agreed that, with restrictions and continued monitoring and therapy, respondent may practice dentistry consistent with the public health, safety and welfare.

Based on the information submitted, the Board has determined that respondent may have his license reinstated subject to the conditions outlined in this order. Respondent appears to be in recovery at this time. The Board is keenly aware of respondent's history of relapse and will not tolerate any deviation from the terms of this order. The Board finds that the restrictions placed on respondent's practice by this order are adequate to protect the health, safety and welfare of the public, and that good cause exists for entry of this order:

IT IS ON THIS 15th DAY OF August, 2003
HEREBY ORDERED THAT:

1. Respondent's license to practice dentistry in the State of New Jersey is hereby reinstated subject to the following conditions:

(a) Respondent shall submit to weekly random urine screens through the PHP. Respondent shall comply with all urine screen procedures and protocols outlined and prescribed by the PHP.

(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 retains sole discretion to modify the manner and the extent of testing in the event technical developments, individual requirements or recommendations from the PHP indicate that a different methodology or approach is required in order to guarantee the accuracy and reliability of the testing.

(c) Any failure by respondent to submit or provide a urine screen within twenty-four (24) hours of a request will be deemed to be equivalent to a confirmed positive urine test. In the event respondent 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 Earle, or his designee, who will consult with the PHP. In addition, respondent 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 respondent was so ill that he was unable to provide the urine sample or appear for the test. "Impossibility" as employed in this provision shall mean an obstacle beyond the control of respondent 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 respondent will be out of the State for any reason, the Board and the PHP, shall be so advised so that arrangements may be made at the Board's discretion for alternate

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

(e) Respondent shall continue in weekly group therapy sessions, at his own expense, with Harold Clottworthy, CADC. The Board also will retain sole discretion to modify any change in the frequency of attendance in the event that there is a recommendation to do so from Mr. Clottworthy and/or the PHP staff. Mr. Clottworthy and the PHP shall provide the Board with quarterly reports regarding respondent's progress in counseling, and immediate reports of any discontinuance of treatment, positive urines or behavior indicative of a relapse.

(f) Respondent shall continue to attend at least three self-help group meetings per week, including NA/AA, and when possible, a professionals' group. Respondent shall provide evidence of attendance at such groups directly to the Board on a quarterly basis. If respondent has discontinued attendance at any of the support groups, without obtaining approval of the Board, he shall be deemed to be in violation of this Order.

(g) Respondent shall maintain abstinence from all mood-altering drugs unless prescribed by a physician/dentist who is aware of his clinical history. Respondent shall be responsible to ensure that such physician/dentist shall provide the Board and the PHP with a copy of that prescription within 48 hours of its issuance.

(h) Respondent shall not discontinue the use of antidepressants without obtaining prior approval of his treating physician, the Medical Director of the PHP and the Board.

(i) The PHP shall provide quarterly reports to the Board as well as provide immediate notification of any relapse or non-compliance with the treatment plan.

(j) Respondent shall only be permitted to prescribe controlled dangerous substances for patients as required in connection with dental treatment or administer medication to patients in the course of dental treatment, in accordance with the following terms and conditions:

1) Respondent shall use sequentially numbered, triplicate prescription pads for all prescriptions written.

2) Respondent shall provide the original prescription to the patient, attach one copy of the prescription to the patient record, and submit the third copy to the Board, attention Kevin B. Earle, Executive Director, on a monthly basis no later than the fifth day of each month for all prescriptions written in the previous month. The first submission shall be due no later than September 1, 2003, for all prescriptions written in August 2003 starting on the entry date of this Order.

3) Respondent shall be required to account for each consecutively numbered prescription, regardless of whether the particular prescription was voided or not used for any purpose whatsoever.

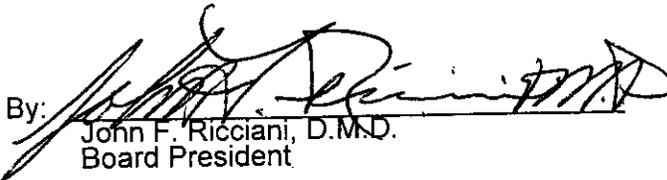
k) Respondent shall engage in monthly meetings with the PHP staff upon his return to practice. Any change in the monthly meetings with the PHP staff shall be at the sole discretion of the Board based on recommendations from the PHP staff.

l) Respondent shall provide any and all releases to any and all parties who are participating in the monitoring, treating 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.

m) Respondent hereby consents to the entry of an Order of automatic suspension of license without notice, upon the Board's receipt of any information which the Board in its sole discretion deems reliable that respondent has failed to comply with any of the conditions set forth above, any other provision of this Order, or any report of a confirmed positive urine, or a prima facie showing of a relapse or recurrence of drug abuse.

n) Respondent shall have the right to apply for removal of the automatic suspension on two (2) days notice but in such event shall be limited to a showing that the urine tested was not his or was a false positive in the case of urine testing, or that other information submitted was false.

NEW JERSEY STATE BOARD OF DENTISTRY

By: 
John F. Ricciani, D.M.D.
Board President

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


John P. Leonard, D.M.D.