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N.J. BOARD OF DENTISTRY  
ON 12-17-03 cm

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

IN THE MATTER OF

ROBERT POLI, D.M.D.  
License No. DI 12569

LICENSED TO PRACTICE  
IN THE STATE OF NEW JERSEY

Administrative Action

FINAL ORDER  
OF DISCIPLINE



This matter was opened to the Board of Dentistry ("Board") on information received from the Division of Criminal Justice, Office of Insurance Fraud Prosecutor ("OIFP"), regarding Robert Poli, D.M.D. ("respondent"), which the Board has reviewed and on which the following findings of fact and conclusions of law are made.

FINDINGS OF FACT

1. Respondent has been a licensee of the Board at all times relevant to this order.
2. On February 27, 2001, respondent entered into a consent order with OIFP agreeing to pay a civil penalty in the amount of \$1000.00 upon an acknowledgment that he knowingly prepared and submitted an insurance claim containing false and misleading information to Horizon Blue Cross Blue Shield regarding dates of service for bridgework in violation of N.J.S.A. 17:33A-1 et seq. Respondent submitted a claim stating date of service was January 23, 1996 when the actual date of date of service was December 15, 1995.

CONCLUSIONS OF LAW

1. Respondent's signing a consent order with the Office of the Insurance Fraud Prosecutor provides a basis for disciplinary action pursuant to the Uniform Enforcement Act, N.J.S.A. 45:1-14 et seq., specifically N.J.S.A. 45:1-21(k).

DISCUSSION

Based on the foregoing findings and conclusions, a Provisional Order of Discipline suspending respondent's license to practice dentistry in the State of New Jersey was entered on

January 8, 2003 and a copy was served on respondent. The Provisional Order was subject to finalization by the Board at 5:00 p.m. on the 30<sup>th</sup> business day following entry unless respondent requested a modification or dismissal of the stated Findings of Fact or Conclusions of Law by submitting a written request for modification or dismissal setting forth in writing any and all reasons why said findings and conclusions should be modified or dismissed and submitting any and all documents or other written evidence supporting respondent's request for consideration and reasons therefor. In response to the Provisional Order of Discipline, respondent provided a letter to the Board dated January 15, 2003. In that letter, respondent did not dispute the underlying basis for disciplinary action. Respondent acknowledged that he entered into the consent order with OIFP. However, in his letter, respondent asserted that the underlying conduct was inadvertent. Respondent indicated that an employee completed the form which listed the crown and bridge services as having been performed in January 1996 when in fact those services were performed in December 1995. Respondent also indicated in the letter that he refunded the money to Blue Cross Blue Shield.

Respondent's submission was reviewed by the Board, and the Board determined that further proceedings were not necessary. However, after considering respondent's submission, the Board has determined that a modification of the proposed sanction is appropriate in as much as the information received indicated that the conduct was inadvertent and the result of a record keeping error. Therefore, the Board determined that a reprimand is sufficient and determined not to impose a period of suspension. Additionally, a record keeping course is deemed more appropriate than an ethics course.

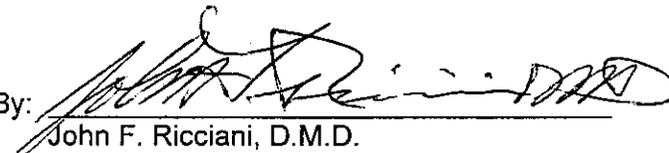
ACCORDINGLY, IT IS on this 17<sup>th</sup> day of December, 2003,

ORDERED that:

1. Respondent is hereby reprimanded for engaging in an activity that constitutes insurance fraud.
2. Respondent shall successfully complete a seven hour continuing education course involving proper record keeping. This course shall be completed within three months of the entry of

the within Final Order of Discipline. Further, this course is in addition to the regularly required continuing education hours and 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 form is made a part of this Final Order of Discipline.

NEW JERSEY STATE BOARD OF DENTISTRY

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



State of New Jersey

OFFICE OF THE ATTORNEY GENERAL
DEPARTMENT OF LAW AND PUBLIC SAFETY
DIVISION OF CONSUMER AFFAIRS
STATE BOARD OF DENTISTRY
124 HALSEY STREET, 6TH FLOOR, NEWARK NJ

JAMES E. MCGREEVEY
Governor

PETER C. HARVEY
Attorney General
RENI ERDOS
Director

CONTINUING EDUCATION COURSE
PRE-APPROVAL SHEET

Mailing Address:
P.O. Box 45005
Newark, NJ 07101
(973) 504-6405

ATTACH COURSE DESCRIPTION AND/OR BROCHURE AND SUBMIT AT LEAST 30
DAYS PRIOR TO THE COURSE DATE. THE BOARD CANNOT ASSURE APPROVAL
FOR COURSES PROVIDED ON SHORT NOTICE. A SEPARATE FORM IS TO BE USED
FOR EACH COURSE. A COPY WILL BE RETURNED TO YOU AFTER APPROVAL OR
DENIAL BY THE BOARD.

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DENTIST NAME: \_\_\_\_\_

ADDRESS: \_\_\_\_\_

\_\_\_\_\_

TELEPHONE#: \_\_\_\_\_

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NAME OF COURSE: \_\_\_\_\_

SPONSOR: \_\_\_\_\_

ADDRESS: \_\_\_\_\_

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TELEPHONE #: \_\_\_\_\_

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\_\_\_\_\_ COURSE PRE-APPROVED BY BOARD DATE \_\_\_\_\_

\_\_\_\_\_ COURSE NOT ACCEPTED BY BOARD DATE \_\_\_\_\_

DATE \_\_\_\_\_

\_\_\_\_\_ KEVIN B. EARLE

EXECUTIVE DIRECTOR