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

_____)	Administrative Action
In the Matter of)	
)	
EDWARD SLEDGE, D.M.D.)	CONSENT ORDER MODIFYING
License No. DI 12318)	RESTRICTIONS ON LICENSE
)	
Licensed to Practice Dentistry)	
In the State of New Jersey)	
_____)	

This matter was opened to the New Jersey State Board of Dentistry ("Board") upon the application of Edward Sledge, D.M.D. ("respondent"), seeking to remove restrictions imposed by the Board's Order of June 4, 2002, including those related to urine monitoring, supervision of practice, and limitations related to controlled dangerous substances. That consent order was entered following respondent's testing positive for marijuana.

In support of his application to remove restrictions, respondent provided letters from Louis E. Baxter, Sr., Executive Medical Director of the Physicians' Health Program of the Medical Society of New Jersey, and Daniel E. Williams, Ph.D., who has been providing psychotherapy to respondent. Both confirmed the progress respondent has made in his recovery. Additionally, respondent submitted a letter from Maria Antoinette Barden, D.M.D., who has

served as a monitor for respondent's practice. Dr. Barden, who has periodically observed respondent's practice since the entry of the Board's order, attests to respondent's professional competency and relates that his conduct and behavior are appropriate. Based on those letters and on respondent's essential compliance with the terms of the June 2002 consent order and his continued recovery, the Board finds that modification of its order is appropriate. The Board will reduce the number of random urine screens to two a month and will permit respondent to regain his registration to prescribe, dispense and administer controlled dangerous substances consistent with the terms of this consent order. The Board believes respondent is capable of conducting his practice without supervision and therefore will remove that requirement.

IT IS ON THIS 26th DAY OF August, 2004,

HEREBY ORDERED AND AGREED THAT:

1. 1. (a.) Respondent shall submit a urine sample two times a month at a laboratory facility designated by the Board. This requirement shall continue until further order of the Board expressly reducing or discontinuing testing. Respondent 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 respondent 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 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 B. Earle, or his designee. Personnel at the lab facility shall not be authorized to waive a urine test. 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 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.) Any urine test result showing creatinine levels below 20 mg/dL and a specific gravity below 1.003 shall be deemed a confirmed positive urine test.

(f.) Respondent 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. Respondent

specifically agrees that 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.

2. Respondent shall continue in counseling with Daniel Williams, Ph.D., on a frequency as established by Dr. Williams. Respondent shall be responsible for ensuring that his treating psychologist and any other person(s) providing therapy for his addiction provide the Board with quarterly reports regarding his progress in counseling.

3. Respondent shall attend support groups, including NA or AA not less than four (4) times per week. Respondent, on a quarterly basis, shall provide evidence of attendance at such groups directly to the Board. If respondent 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. Respondent shall be permitted to prescribe controlled dangerous substances for patients as required in connection with dental treatment and shall be permitted to dispense or administer such controlled dangerous substances to patients in the course of dental treatment, in accordance with the following terms and conditions:

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

b) 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 first day of each month for all prescriptions written in the previous month. The first submission shall be due no later than October 1, 2004, for all prescriptions written in September 2004 starting on the entry date of this Order.

c) 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.

d) Respondent shall maintain complete and accurate records of all controlled dangerous substances purchased, acquired, used, and dispensed as required by State and federal law and regulations.

5. Except as provided in paragraph 4 above, respondent 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, respondent shall advise any and all treating physicians and/or dentists of his history of substance abuse. Respondent 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.

6. 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.

7. The requirement that a licensee approved by the Board monitor respondent's practice is vacated.

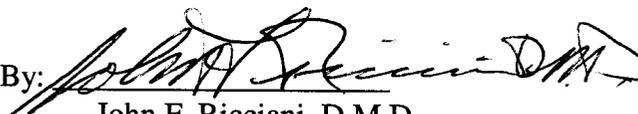
8. (a) Respondent shall be subject to an order of automatic suspension of license upon the Board's receipt of any information which the Board, in its sole discretion, deems

reliable demonstrating that respondent has failed to comply with any of the conditions set forth in this consent order, including but not limited to a report of a confirmed positive urine, or a prima facie showing of a relapse or recurrence of alcohol or drug abuse.

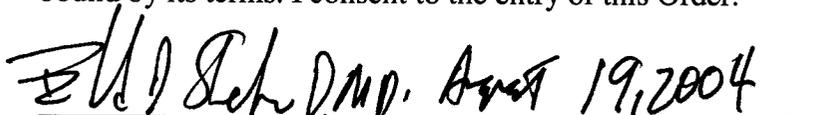
(b) Respondent shall have a right to apply for removal of the automatic suspension on ten (10) days notice to the Board and to the Attorney General. The Board may hold a hearing on that application before the full Board or before a committee of the Board. In the event a committee hears the application, 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 and respondent may only contest the chain of custody for that sample. Respondent retains the right to present evidence as to other bases for the Board's action.

9. Respondent may apply for modification of the terms of this order not sooner than one year following its entry. Prior to considering modification of the terms of the order, the Board may require respondent to submit to an independent psychiatric or other medical examination and have the results of that examination provided to the Board.

New Jersey Board of Dentistry

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

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


Edward Sledge, D.M.D.