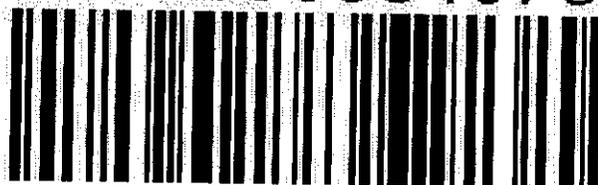


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Deputy Attorney General

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

IN THE MATTER OF

**DONALD DOBROWOLSKI, D.M.D.**  
**License No. DI 1303 8**

LICENSED TO PRACTICE DENTISTRY:  
IN THE STATE OF NEW JERSEY

Administrative Action

**CERTIFIED TRUE COPY**

CONSENT ORDER

This matter was opened to the New Jersey State Board of Dentistry upon the request of Donald Dobrowolski, D.M.D. ("respondent"), seeking to have his registration to prescribe controlled dangerous substances restored. In support of his application, respondent submitted letters from Raymond F. Hanbury, Ph.D., and Matthew J. Pitera, M.D., his treating psychologist and psychiatrist respectively, both of whom support his application.

The Board has considered the documents submitted and has determined that respondent has demonstrated consistent progress in his ongoing recovery. The Board will

restore respondent's CDS privileges subject to the conditions set forth in this order. Other restrictions imposed by prior Board orders, which are repeated here, remain in effect. The Board finds that these conditions will adequately protect the public health, safety, and welfare.

THEREFORE, IT IS ON THIS <sup>7<sup>th</sup></sup> DAY OF <sup>December</sup> ~~NOVEMBER~~, 2005,

ORDERED:

1. Respondent, Donald Dobrowolski, D.M.D., shall be permitted to prescribe controlled dangerous substances (CDS) 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:

- 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, M.P.H., 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 December 1, 2005, for all prescriptions written 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.

2. Respondent may practice dentistry for a period not to exceed sixteen hours per week. A request to increase the number of hours respondent may practice shall not be entertained sooner than six months from the entry of this order.

3. (a.) Respondent shall submit to random urine sampling a minimum of once every two weeks 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. Dobrowolski 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 he 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. 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.

4. Dr. Dobrowolski shall continue his treatment with Dr. Hanbury and Dr. Pitera and shall comply with any recommended therapeutic regime for treatment or counseling. Respondent shall be responsible for ensuring that his treating psychiatrist or

psychologist and any other person(s) providing therapy for his addiction provide the Board with quarterly reports regarding his progress in counseling.

5. Dr. Dobrowolski shall attend support groups, including NA or AA not less than two times per week. Respondent 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.

6. Dr. Dobrowolski shall abstain from the use of alcohol and 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.

7. Dr. Dobrowolski shall continue in psychotherapy with Dr. Raymond Hanbury and in treatment with Dr. Matthew Pitera until further order of the Board. In the event respondent wishes to seek treatment with a different mental health professional, he shall advise the Board in writing of the name and address of the subsequent psychotherapist or psychiatrist prior to discontinuing therapy or treatment.

8. Dr. Dobrowolski shall continue to 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.

9. Prior to any removal of restrictions set forth in this order, respondent shall:

a. Appear before the Board or a committee of the Board to discuss his continued recovery and to demonstrate to the satisfaction of the Board that he is not then suffering from any impairment or limitation resulting from the use of any mood altering substance, whether legal or illegal, which could affect his practice;

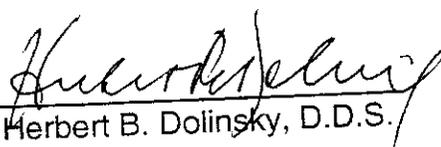
b. Prior to his appearance, respondent shall provide the Board with reports from each and every mental health professional (including but not limited to: psychologists, counselors, therapists, psychiatrists) who have participated in respondent's care and/or treatment for the disability in this matter during the period of time from his entry into treatment to his appearance;

c. Prior to his appearance, provide the Board with a report from the New Jersey Dental Association Chemical Dependency Program detailing the nature and extent of his involvement with that entity and its recommendations concerning the removal of restrictions; and

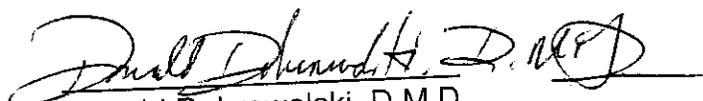
10. Dr. Dobrowolski shall be subject to an order of suspension of his license on short notice upon the Board's receipt of any information which the Board, in its sole discretion, deems reliable demonstrating that respondent has failed to comply with any of the conditions set forth in this consent order, 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. A hearing on the application may be 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.

NEW JERSEY STATE BOARD OF DENTISTRY

By:   
Herbert B. Dolinsky, D.D.S.  
President

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

  
Donald Dobrowolski, D.M.D.

11/28/05  
Date