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RECEIVED AND FILED  
WITH THE  
N.J. BOARD OF DENTISTRY  
ON 10-25-06 *ah*

By: Joseph Donofrio  
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STATE OF NEW JERSEY  
DEPARTMENT OF LAW AND PUBLIC SAFETY  
DIVISION OF CONSUMER AFFAIRS  
BOARD OF DENTISTRY

IN THE MATTER OF	:	
	:	
JOEL M. STORM, D.D.S.	:	Administrative Action
License No. 22DI01101100	:	
	:	
	:	CONSENT ORDER
LICENSED TO PRACTICE DENTISTRY	:	
IN THE STATE OF NEW JERSEY	:	

This matter was opened to the New Jersey State Board of Dentistry ("Board") upon receipt of a complaint submitted on behalf of patient M.F., a minor, alleging that Joel M. Storm, D.D.S. (hereinafter "respondent") failed to conform to standard dental and/or orthodontic practice in the State of New Jersey. Specifically it has been alleged that respondent banded the patient's teeth despite evidence of incipient mesial lesions and/or deeper occlusal lesions on several teeth, conditions which were apparent on panoramic radiographs that clearly evidenced the presence of extensive decay. Additionally, although respondent indicated he reminded the patient to see a general dentist, no such notation was made in patient's chart, no follow-up was conducted to assure the caries were treated, and no indication of the presence of decay was noted in patient's chart at her visit in November, 2000.

Respondent appeared with counsel, Francis Hartman, Esq., at an investigative inquiry into the matter held by the Board on October 20,

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2004. During the inquiry, respondent acknowledged that a review of his radiograph may have indicated evidence of decay on teeth #2, 3, 14, 15 and #31. Respondent further testified that he may have banded the patient in the presence of decay.

Having reviewed the entire record, including the patient's letter of complaint, health history records, charts and radiographs as maintained by respondent and the testimony of respondent, it appears to the Board that respondent has failed to conform to standard dental and/or orthodontic practice in the State of New Jersey. Respondent provided the patient with a flawed treatment plan, failed to provide adequate diagnosis, improperly prioritized the needed treatment by initiating orthodontic treatment in the presence of active and untreated carious lesions, and failed to maintain complete patient records. These acts form the basis for disciplinary action pursuant to N.J.S.A. 45:1-21 (c) and (d) and N.J.A.C. 13:30-8.7(a).

It appearing that respondent desires to resolve this matter without recourse to formal proceedings and for good cause shown;

IT IS ON THIS 25<sup>th</sup> DAY OF October, 2006

HEREBY ORDERED AND AGREED THAT:

1. Respondent is hereby reprimanded.
2. Respondent shall successfully complete the following continuing education:

- seven (7) hours in diagnosis and treatment planning,
- three (3) hours in record keeping
- the ProBE Course.

These courses shall be completed within six (6) months of the entry of the within Consent Order. Further, these courses, which are in addition to the regularly required continuing education hours, shall be approved by the Board in writing prior to attendance. Respondent shall

~~approved by the Board in writing prior to attendance.~~ Respondent shall complete the attached Application for Course Approval at least 30 days prior to the start of the required course work. The attached forms are made a part of this Consent Order, and a separate form is to be used for each course.

3. Respondent shall reimburse New Jersey KidCare in the amount of \$1,214 for the orthodontic treatment rendered. A certified check or money order made payable to New Jersey KidCare for the total amount of \$1,214 shall be sent contemporaneously with respondent's signing of this Consent Order to Kevin Earle, Executive Director, Board of Dentistry, P.O. Box 45005, 124 Halsey Street, Sixth Floor, Newark, New Jersey 07101.

4. Respondent is assessed civil penalties pursuant to N.J.S.A. 45:1-22(b) in the amount of \$7,500.00 for placing braces on teeth with numerous gross carious lesions. Payment for the civil penalties totaling \$7,500.00 shall be submitted by certified check or money order made payable to the State of New Jersey and shall be sent to Kevin Earle, Executive Director, Board of Dentistry, at the address above, no later than twenty-one (21) days from the entry of this Consent Order. Subsequent violations will subject respondent to enhanced penalties pursuant to N.J.S.A. 45:1-25.

5. Respondent is assessed the costs of the investigation to the State in this matter in the amount of \$203.42. Payment of the costs shall be submitted by certified check or money order made payable to the State of New Jersey and submitted to the Board no later than twenty-one (21) days from the entry of this Consent Order. Payment shall be sent to Kevin Earle, Executive Director at the address described above.

6. Failure to remit any payment as required by this Order will result in the filing of a certificate of debt.

7. Failure to comply with any of the terms of this Consent Order may result in further disciplinary action.

NEW JERSEY STATE BOARD OF DENTISTRY

By: Peter L. DeSciscio  
Peter L. DeSciscio, D.M.D.  
Board President

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

Joel M. Storm  
Joel M. Storm, D.D.S.

10-17-06  
Date

I consent to the entry of this order as to form.

Frances A. Hartman  
Frances A. Hartman, Esq.  
Attorney for Respondent

9/19/06  
Date