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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	:	
	:	Administrative Action
HENNO PRIMA, D.M.D.	:	
License No. 22 DI01609400	:	
	:	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 information that Henno Prima, D.M.D. ("respondent"), had submitted claims for reimbursement for dental services to Teamsters Local 469 Welfare Fund, which claims did not accurately represent the services rendered. Specifically, it was alleged that, as to patient R.S., respondent submitted claim forms representing that he had placed five gold inlay restorations when he placed porcelain inlays and that he had performed three surface restorations on four teeth when only two surface restorations had been performed on those teeth. Additionally, as to patient K.G., it was alleged that respondent submitted and was paid for a crown on tooth #11 when in fact no crown was placed.

On February 15, 2006, respondent appeared with counsel, Joann Pietro, Esq., at an investigative inquiry into the matter held by the Board. During the course of his testimony, respondent discussed his use of composite materials for restorations and his record keeping and billing practices. He maintained that the questioned submissions to the Teamsters Local 469 Welfare Fund were the result of a clerical error, which he corrected. Moreover, despite radiographic evidence to the contrary, respondent stated that he had prepped and placed a crown on tooth #11 for patient K.G. He also acknowledged that he did not have proof of completion of continuing education for the renewal period 2003-2005.

Having reviewed the entire record, including the testimony of respondent at the investigative inquiry, and his subsequent submissions to the Board, it appears to the Board that respondent: failed to keep adequate and accurate patient records, failed to submit accurate claim forms to the Teamsters Local 469 Welfare Fund, failed to comply with the statute and regulations governing completion of continuing education. Additionally, in his testimony before the Board, respondent misrepresented the facts as to patient K.G. by maintaining that he had prepped tooth #11 and placed a crown on that tooth, when radiographic evidence demonstrates that no such treatment had been performed. Further, respondent's answers to Board questions demonstrated a need for remedial education in operative dentistry.

These facts establish basis for disciplinary action pursuant to N.J.S.A. 45:1-21(e) (professional misconduct) and (h)(violating Board statute and regulations). It appearing that respondent desires to resolve this matter without recourse to formal proceedings and

the parties agreeing that resolution of this matter according to the terms of this order is appropriate,

IT IS ON THIS DAY OF 19th Sept, 2007

HEREBY ORDERED AND AGREED THAT:

1. Henno Prima, D.M.D., is reprimanded for his conduct in failing to submit accurate claims to a third party payor for reimbursement, for failing to maintain patient records in a manner as required by Board regulation, for failing to provide full and accurate testimony before the Board, and for failing to complete and/or failing to maintain records of continuing education required to be completed for biennial license renewal.
2. Respondent shall hold his license on a probationary basis for a period of two years. If during that period of time, respondent fails to comply with the terms of this order or violates any statute or regulation administered by the Board, in addition to any other discipline it may impose, the Board reserves the right to change the remaining probationary period into an active suspension.
3. Respondent shall fully attend and unconditionally pass an ethics course within nine (9) months of the entry of this order. Respondent shall complete either the ProBE (Professional Problem Based Ethics) course offered by The Ethics Group, 89 Summit Avenue, Suite 185, Summit, New Jersey 07901, or the PRIME (Professional Renewal in Medicine through Ethics) course offered by the Center for Continuing Education in the Health Professions at UMDNJ-Robert Wood Johnson Medical School, 97 Paterson Street, Room 124, New Brunswick, New Jersey 08903. Documentation of full attendance and successful completion of the course shall be provided to the Board within 30 days of completion of the course.

4. Respondent shall successfully complete a Board approved, custom tutorial course in operative dentistry, of not less than forty (40) hours. The course shall include pharmacology, dental materials (including restorative materials), nutritional counseling, pulp testing, occlusion, scientific method, record keeping, and risk management. This custom course shall be completed within nine (9) months of the entry of this Consent Order. Further, the course, which is in addition to the regularly required continuing education hours, shall be approved by the Board in writing prior to attendance. Respondent shall cause the person directing the tutorial to provide a report to the Board upon completion of the course stating that respondent has fully attended and passed the tutorial through demonstration of core competencies.

5. Respondent is hereby assessed civil penalties, pursuant to N.J.S.A. 45:1-22 in the amount of \$9,000. This total reflects a penalty of \$500 for conduct with respect to failing to complete or maintain records of continuing education; \$2500 for failing to submit accurate claims to a third party payor for reimbursement; \$2500 for failing to maintain patient records in a manner as required by Board regulation, and \$3500 for failing to provide full and accurate testimony before the Board. Payment for the civil penalties totaling \$9000 shall be submitted by certified check or money order made payable to the State of New Jersey and shall be sent to: Executive Director, Board of Dentistry, P.O. Box 45005, 124 Halsey Street, Sixth Floor, Newark, New Jersey 07101, in accordance with the following schedule: respondent shall make nine (9) monthly payments of \$1000 per payment. The first payment shall be due by March 1, 2007 and subsequent payments shall continue to be due by the first of each month until all nine payments are completed. In the event that respondent does not make a timely payment, the full balance will

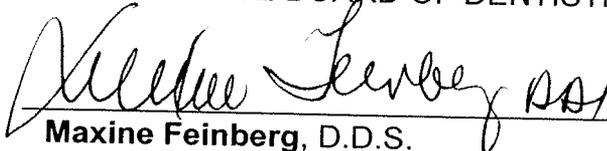
of \$1000 per payment. The first payment shall be due by March 1, 2007 and subsequent payments shall continue to be due by the first of each month until all nine payments are completed. In the event that respondent does not make a timely payment, the full balance will immediately become due. Subsequent violations will subject respondent to enhanced penalties pursuant to N.J.S.A. 45:1-25.

6. Respondent is assessed the costs of the investigation to the State in this matter in the amount of \$450. Payment for 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 days from the entry of this Consent Order. Payment shall be sent to Kevin B. Earle at the address described in paragraph #5.

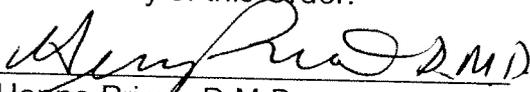
7. Failure to remit any payment required by this Order will result in the filing of a certificate of debt.

8. Failure to comply with any of the terms of this consent order may result in further disciplinary action.

NEW JERSEY STATE BOARD OF DENTISTRY

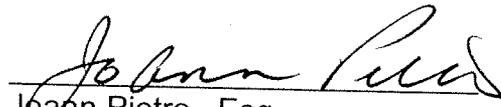
By: 
Maxine Feinberg, D.D.S.
Board President

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


Herro Prima, D.M.D.

Sept 7, 2007
Date

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


Joann Pietro, Esq.

9/14/07
Date