

RECEIVED AND FILED
WITH THE
N.J. BOARD OF DENTISTRY
ON 11-12-08 DA

ANNE MILGRAM
ATTORNEY GENERAL OF NEW JERSEY
Division of Law 5th Floor
124 Halsey Street
P.O. Box 45029
Newark, New Jersey 07101
Attorney for the Board of Dentistry

By: Joseph Donofrio
Deputy Attorney General
Tel. (973) 648-2436

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

IN THE MATTER OF

Allan A. Monack, D.D.S.
License No. 22DI00867100

LICENSED TO PRACTICE DENTISTRY
IN THE STATE OF NEW JERSEY

Administrative Action

CONSENT ORDER

This matter was opened to the New Jersey State Board of Dentistry ("Board") upon receipt of information that Allan A. Monack ("respondent") was allowing dental assistants to perform duties which are beyond their scope of practice. Information received alleged that employees of the respondent who were not registered dental assistants performed duties that included fabricating and cementing temporary crowns, cleaning permanent cement, taking impressions, changing orthodontic wires and elastics, and fabricating mouth guards.

Information received by the Board alleges that between 1994 and 2004, Helen Panzarino, also known as Helen ("Angel") Atkins, a certified dental assistant, and other dental assistants were observed performing duties of a registered dental assistant, including, but not limited to, fabricating and cementing temporary

crowns, cleaning permanent cement, taking impressions, changing orthodontic wires and elastics, and fabricating mouth guards on numerous occasions.

Having reviewed the entire record, it appears that respondent has permitted auxiliary staff to perform duties which are beyond their scope of practice. Pursuant to N.J.A.C. 13:30-2.4, a dental assistant must be registered in order to take impressions. The taking of impressions does not fall within the scope of practice for unregistered dental assistants under N.J.A.C. 13:30-2.6.

These facts establish a basis for disciplinary action, pursuant to N.J.S.A. 45:1-21(e), in that respondent has engaged in professional or occupational misconduct as may be determined by the Board. These facts also establish a basis for disciplinary action, pursuant to N.J.S.A. 45:1-21(n), in that respondent permitted auxiliary staff to perform duties outside of the scope of their practice. Additionally, these facts establish a basis for disciplinary action, pursuant to N.J.S.A. 45:1-21(h), in that respondent has violated or failed to comply with provisions of any act or regulation administered by the Board. It appearing that respondent desires to resolve this matter without admissions and without recourse to formal proceedings and for good cause shown:

IT IS THEREFORE on this 12th day of November, 2008,

HEREBY ORDERED and AGREED THAT:

1. Respondent shall cease and desist aiding and abetting the unlicensed practice of dentistry and unlicensed assisting in the state of New Jersey.

2. Respondent is hereby assessed a civil penalty, pursuant to N.J.S.A. 45:1-22, in the amount of \$4,250.00 for permitting

auxiliary staff to perform duties outside of the scope of their practice in violation of N.J.S.A. 45:1-21(e) and N.J.S.A. 45:1-21(n).

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

NEW JERSEY STATE BOARD OF DENTISTRY

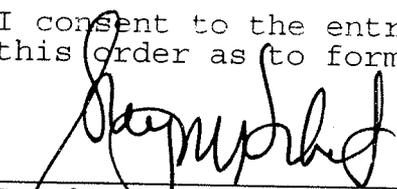
By: 
Alexander Hall, D.M.D.
President

I have read the above Order, understand its terms, and agree to be bound by them. I consent to the entry of this Order by the Board of Dentistry.


Allen A. Monack, D.D.S. D.M.D.
Respondent

10/24/2008
Date

I consent to the entry of this order as to form


Stephen H. Schechner, Esq.

10/28/08
Date