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N.J. BOARD OF DENTISTRY
ON 11-4-09 DA.

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

IN THE MATTER OF THE SUSPENSION
OR REVOCATION OF THE LICENSE OF

SYGAL HARPAZ, D.M.D.
License No. 22DI02070600

LICENSED TO PRACTICE DENTISTRY
IN THE STATE OF NEW JERSEY

Administrative Action

FINAL ORDER OF DISCIPLINE

This matter was opened to the New Jersey State Board of Dentistry ("the Board") upon receipt of information which the Board has reviewed and on which the following findings of fact and conclusions of law are made:

FINDINGS OF FACT

1. Dr. Sygal Harpaz ("respondent") is the holder of license number 22 DI02070600 and was originally licensed to practice dentistry in the State of New Jersey on April 28, 1999. Respondent failed to renew her license prior to its expiration on October 31, 2007 and she has failed to renew her license since that date. As a result, respondent's license has been and is currently suspended, without a hearing, by application of N.J.S.A. 45:1-7.1(b).

2. The Board received a complaint from patient S.T. alleging that respondent improperly installed bridgework which ultimately failed. S.T. also alleged that respondent promised to refund her the money payed for the failed bridgework plus the additional cost for remaking the bridge. According to S.T., respondent never provided her with a refund or the costs for remaking the bridge.

3. The Board sent respondent a letter dated October 3, 2007, via regular and certified mail, to her address of record. The letter requested that additional information be provided to the Board based on S.T.'s complaint. The letter requested a response within fifteen (15) days.

4. On November 5, 2007, the certified mail was returned to the Board office marked "Unclaimed". The regular mail was not returned. Respondent failed to provide the requested information pertaining to S.T.'s complaint.

5. On November 8, 2007, the Board re-sent the October 3, 2007 letter to respondent, via regular and certified mail. Again, the letter requested that information be provided to the Board based on S.T.'s complaint.

6. The November 8, 2007 the certified mail was returned to the Board marked "Return to Sender", "Unclaimed", "Unable to Forward". The regular mail was not returned. Respondent failed to provide the requested information pertaining to S.T.'s complaint.

7. The Board sent respondent a third letter dated March 17, 2008, via regular and certified mail. Once again, the letter requested that information be provided to the Board based on S.T.'s complaint. The letter also cited to respondent's failure to provide the requested information as a result of the October 3, 2007 letter and the November 8, 2007 mailing that was sent to respondent. The March 17, 2008 letter requested that respondent provide the information to the Board within ten (10) days.

8. The certified mail containing the March 17, 2008 letter was returned to the Board office marked "Return to Sender". The regular mail was not returned to the Board. Respondent failed to provide the requested information pertaining to S.T.'s complaint.

9. Respondent, to date, has failed to provide the Committee with the requested information regarding the complaint received from patient S.T.

CONCLUSIONS OF LAW

Respondent's failure to provide information in response to the Board's investigation concerning S.T.'s complaint constitutes professional misconduct, pursuant to N.J.S.A. 45:1-21(e), in that respondent failed to cooperate with the Board's investigation in contravention of N.J.A.C. 13:45C-1.3 (a)(4) & (5). Furthermore, respondent's failure to provide the requested information

constitutes a failure to comply with the provisions of an act administered by the Board, pursuant to N.J.S.A. 45:1-21(h), in that she failed to cooperate in an investigation administered by the Board in contravention of N.J.A.C. 13:45C-1.2.

DISCUSSION

Based on the foregoing findings and conclusions, a Provisional Order of Discipline ("POD") was filed on February 18, 2009. The Provisional Order was subject to finalization by the Board at 5:00 p.m. on the 30th business day following entry unless Respondent requested a modification or dismissal of the stated Findings of Fact or Conclusions of Law by submitting a written request for modification or dismissal setting forth in writing any and all reasons why said findings and conclusions should be modified or dismissed and submitting any and all documents or other written evidence supporting Respondent's request for consideration and reasons therefor.

The Provisional Order was served upon Respondent on February 20, 2009 by regular and certified mail with return receipt requested to three different addresses the Board has on file for Respondent. The regular mail sent to Respondent's address of record: 654 Newman Springs Road, Lincroft, N.J. 07738 was not returned to the Board office. The certified mail to this address was returned and marked "unclaimed." The certified and regular mailings sent to P.O. Box 433, Allenwood and 1605 River Bluff, Allenwood, N.J. 08720 were all returned to the Board office.

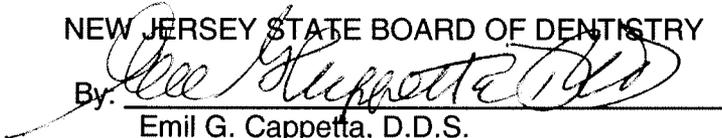
Because the regular mailing of the Provisional Order was sent to Respondent's address of record by regular mail was not returned, the Board deems service to have been effected. Accordingly, it determined that further proceedings were not necessary and that the Provisional Order should be made final.

ACCORDINGLY, IT IS, on this 4th day of November, 2009

HEREBY ORDERED THAT:

1. Respondent's license to practice dentistry in the State of New Jersey, which is currently suspended by application of N.J.S.A. 45:1-7.1(b), as a result of her failure to apply for renewal within thirty (30) days of its expiration date of October 31, 2007, shall remain suspended until such time as respondent provides the requested information pertaining to S.T.'s complaint and satisfies other requirements for reinstatement.

NEW JERSEY STATE BOARD OF DENTISTRY

By. 

Emil G. Cappetta, D.D.S.
Board President