

RECEIVED AND FILED
WITH THE
N.J. BOARD OF DENTISTRY
ON 1-28-10 DA

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

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

PETER CRAPANZANO, D.D.S.
License No. 22DI02117600

TO PRACTICE DENTISTRY
IN THE STATE OF NEW JERSEY

Administrative Action

FINAL ORDER
OF DISCIPLINE

The New Jersey State Board of Dentistry reviewed information that Peter Crapanzano, D.D.S. (respondent), had entered into a consent order with the Office of the Insurance Fraud Prosecutor in May 2008. Based on that action, the Board entered a Provisional Order of Discipline on September 3, 2009, seeking to suspend respondent's license and impose a reprimand. The Provisional Order provided Dr. Crapanzano with an opportunity to seek modification or dismissal of that order through submission of information to the Board.

By handwritten letter dated September 8, 2009, respondent asked the Board to dismiss the Provisional Order. He stated that the action by the Office of the Insurance Fraud Prosecutor was the result of a misunderstanding regarding use of a cavitron for scaling teeth. He stated that he had suffered significantly as a result of the conduct and that a suspension would be financially ruinous.

The State responded by letter of October 16, 2009. The deputy attorney general noted that Dr. Crapanzano's submission omitted the aspects of the Insurance Fraud Prosecutor's order detailing respondent's conduct in altering patient records so they appeared to support the billing for services that were not rendered, as well as conduct related to billing for services on dates when patients were not seen. These knowing violations, argued the deputy, support the imposition of an active suspension.

After consideration of the record, the Board finds that the facts and conclusions provisionally found in its September 3, 2009 order should be finalized. Dr. Crapanzano has not provided any materials disputing the underlying facts and has provided no information that compels the Board to alter its determination that the conduct engaged in - insurance fraud - should alter the discipline provisionally ordered. The Board acknowledges that a suspension of license will have negative financial consequences, but those consequences are a direct result of respondent's conduct in falsifying dental claims to insurance companies. The three year suspension, of which the first six months are an active suspension, will begin thirty days after the entry of this order so that respondent may provide adequate care for his patients. The stayed period of the suspension will be served as a period of probation. Respondent shall follow the attached Directives for licensees whose licenses have been suspended or revoked.

For the reasons above, the Board will finalize the Provisional Order as written.

FINDINGS OF FACT

1. Peter Crapanzano, D.D.S., is a dentist in the State of New

Jersey and has been a licensee at all times relevant to this order. Respondent's license is currently in active status.

2. On May 16, 2008, respondent entered into a consent order with the New Jersey Office of Insurance Fraud Prosecutor ("OIFP"). Respondent admitted to knowingly making material misrepresentations on 25 patient's dental claim forms which he submitted to Aetna and Delta dental insurance companies between 2002 and 2006. Respondent billed prophylaxis as root planning and scaling, billed root planning and scaling on dates when patients were not seen, and altered the patient ledgers of three patients so that it appeared to support billings for root planning and scaling which had not been rendered. (Exhibit A, Copy of OIFP Consent Order, attached and made a part of hereto).

3. The OIFP Consent Order found that Dr. Crapanzano had violated N.J.S.A. 17:33A-1 et seq., and ordered him to pay a civil penalty of \$70,000 beginning on August 1, 2008. Respondent was also ordered to, and acknowledged his obligation to pay, restitution in the amount of \$1,445.90 to Delta Dental of New Jersey, Inc.

CONCLUSIONS OF LAW

The above findings of fact provide establish a basis for disciplinary action against respondent's license, pursuant to N.J.S.A. 45:1-21(k), in that respondent has violated a provision of N.J.S.A. 17:33A-1 et seq.

ACCORDINGLY, IT IS on this day of *Jan 25*, 2010,

ORDERED that:

1. The license of Peter Crapanzano, D.D.S., to practice dentistry in the State of New Jersey is suspended for a period of three (3) years, of which six (6) months will be an

active period of suspension. The suspension shall commence thirty days after the filing of this order.

2. Respondent is reprimanded for his conduct as set forth above.

NEW JERSEY STATE BOARD OF DENTISTRY

By: 
Emil G. Cappetta, D.M.D.
Board President