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RECEIVED AND FILED  
WITH THE  
N.J. BOARD OF DENTISTRY  
ON 3-17-10 DA

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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 :  
  
RICHARD J. LUKENDA, D.M.D. : Administrative Action  
  
License No. 22DI 01127000 :  
  
 : CONSENT ORDER  
 :  
LICENSED TO PRACTICE DENTISTRY :  
IN THE STATE OF NEW JERSEY :  
\_\_\_\_\_

The New Jersey State Board of Dentistry ("Board") received a patient complaint alleging that Richard J. Lukenda, D.M.D., ("Dr. Lukenda" or "respondent") fabricated dentures that did not fit properly and that the dentist was improperly billing the patient for treatment, specifically relining the dentures. Dr. Lukenda appeared before the Board with Richard Krueger, Esq., on April 15, 2009. In discussing the patient S.K.'s treatment, respondent acknowledged that he had not recorded certain information in the patient's

chart, including the medications the patient was taking; the amount and type of local anesthesia used; treatment options; certain treatment performed (claimed curretage was performed but not listed); and financial obligations related to a reline of the immediate denture. Additionally, respondent, based on his review of the chart, was unsure if the patient was taking Coumadin (medical alert in chart reads: "pt taking comedian" ) at the time he performed several extractions, and could not identify the medications the patient was taking for high blood pressure.

Having reviewed the entire record, including the testimony of respondent at the investigative inquiry, it appears to the Board that respondent may have failed to treat the patient within the standard of care for dentists in this State as he failed to take an appropriate medical history prior to performing invasive dental procedures. Additionally, the facts outlined above establish basis for disciplinary action pursuant to N.J.S.A. 45:1-21(h) as respondent, by failing to maintain proper patient records, violated the provisions of an act or regulation of the Board. It appears that respondent desires to resolve this matter without admissions and without recourse to formal proceedings and for good cause shown:

IT IS ON THIS 17<sup>th</sup> DAY OF March, 2010,

HEREBY ORDERED AND AGREED THAT:

1. Respondent shall pay a penalty of \$1,000 for failing to maintain records as required by N.J.A.C. 13:30-8.7. Payment of the penalty in the amount of \$1,000 shall be

forwarded to Jonathan Eisenmenger, Executive Director, State Board of Dentistry, P.O. Box 45005, 124 Halsey Street, Sixth Floor, Newark, New Jersey 07101, shall be submitted with the signed consent order.

2. Respondent shall forgive patient S.K.'s outstanding balance for the re-line, in the amount of \$375.

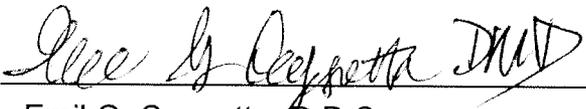
3. Respondent shall successfully complete the following continuing education: seven hours in removable prostheses, seven hours in periodontics, four hours in record keeping, and four hours in oral medicine and taking and assessing patient medical histories. Proof of completion of the courses shall be submitted within six months of the entry of this 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 complete the attached continuing education course approval for the required course work. The attached form is made a part of this Consent Order. A separate form shall be used for each course.

4. Respondent is assessed the costs of the investigation to the State in this matter in the amount of \$430.50. 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 shall be submitted with the signed consent order. Payment shall be forwarded to the Board at the address in Paragraph 1 above.

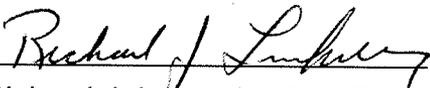
5. Failure to remit any payment required by this Consent Order will result in the filing of a certificate of debt.

6. 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:   
Emil G. Cappetta, 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.

  
Richard J. Lukenda, D.M.D.

Date 3-3-10

I consent to the form and entry of this order.

  
Richard P. Krueger, Esq.

3-3-10  
Date