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N.J. BOARD OF DENTISTRY
ON 4-21-10 *DA*

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

IN THE MATTER OF THE LICENSE OF : Administrative Action
:
Robert Malfara, D.M.D. : ORDER GRANTING
License No. DI 17162 : UNRESTRICTED LICENSE
:
TO PRACTICE DENTISTRY :
IN THE STATE OF NEW JERSEY :

This matter was first opened to the State Board of Dentistry (Board) upon the application of Robert Malfara, D.M.D. for an unrestricted license following a Consent Order filed December 5, 2007, which reinstated Dr. Malfara's license to practice dentistry subject to conditions.

By way of history, Dr. Malfara previously entered into a Consent Order of Voluntary Surrender on September 22, 2004 based on suspected use of drugs for non-medical or dental purposes, having no records for purchases of CDS as required by federal law, having written prescriptions for CDS to patients without corresponding dental records to indicate those prescriptions were for valid dental or medical reasons, and having abandoned his practice. Pursuant to that Order, Dr. Malfara agreed to surrender his license for a minimum of six months, submit to

random urine monitoring, attend support groups and participate with the Well Being Program of the Dental Association.

Subsequently, on December 5, 2007, Dr. Malfara entered into a Consent Order of Reinstatement subject to conditions including, but not limited to, practicing for no more than 10 hours a week, and continued participation in the Professional Assistance Program (PAP) with monthly face-to-face contact with PAP representatives for six months, random urine screens, attendance at support groups, and counseling. In addition, Dr. Malfara agreed to an order of automatic suspension upon failure to comply with the terms of the December 5, 2007 order.

Subsequently, Dr. Malfara sought to modify the terms of the December 2007 order and increase the number of hours per week of permissible practice. On July 10, 2008, an Order Modifying the Order of Reinstatement was entered, permitting Dr. Malfara to practice for not more than 32 hours a week. All other requirements of the December 2007 order remained in effect.

In support of his current application for an unrestricted license, Dr. Malfara provided a letter from Dr. Louis E. Baxter, Executive Medical Director, PAP dated December 23, 2009 in support of Dr. Malfara's application for unrestricted licensure. Dr. Baxter attested to Dr. Malfara's continued recovery, noting that he has undergone the required urine screens, continues to

attend three to four Alcoholics Anonymous meetings each week, and that he has documented five and a half years of recovery.

The Board is satisfied that Dr. Malfara has complied with the prior consent orders, fulfilled all PAP requirements, participated appropriately in urine testing, attended support group meetings, and appears to have been in stable recovery for five and a half years.

The Board having determined that the within Order is adequately protective of the public health, safety, and welfare, and other good cause appearing;

IT IS ON THIS 21st DAY OF April, 2010

ORDERED:

1. Robert Malfara, D.M.D. is hereby granted an unrestricted license to practice dentistry in the State of New Jersey.

NEW JERSEY STATE BOARD OF DENTISTRY

By: 

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