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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
:
John J. Fitzpatrick, D.M.D. : ORDER GRANTING
License No. DI 13546 : 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 John Fitzpatrick, D.M.D. for an unrestricted license following a Consent Order filed July 25, 2007 which reinstated Dr. Fitzpatrick's license to practice dentistry subject to conditions.

By way of history, Dr. Fitzpatrick agreed to surrender his license and cease to practice dentistry for a minimum of three months pursuant to a Consent Order of Voluntary Surrender of Licensure entered on August 31, 2006 in lieu of testifying regarding allegations of drug use including an arrest. In addition, Dr. Fitzpatrick agreed to participate with the Professional Assistance Program (PAP) and comply with the recommendations for treatment including monthly face-to-face contact with PAP representatives, attendance at support groups, urine monitoring and psychotherapy.

On July 25, 2007 Dr. Fitzpatrick entered into a Consent Order of Reinstatement. Pursuant to that Order, Dr. Fitzpatrick's hours of clinical practice were limited and he agreed not to prescribe or dispense CDS. In addition, he was required to use the Board's triplicate prescription protocol; have a licensed or registered dental auxiliary present when engaged in the practice of clinical dentistry; and continue with monitoring by the PAP, including urine monitoring, attendance at AA/NA meetings and face-to-face follow-up with a PAP representative. Dr. Fitzpatrick agreed to an order of automatic suspension upon failure to comply with the terms of the July 25, 2007 Order.

The terms of the July 2007 Order were changed pursuant to an Order Modifying Restrictions on License entered on October 15, 2008 to increase his hours of clinical practice. Subsequently, the terms of the July 2007 Order were further modified pursuant to a July 1, 2009 Order, in which Dr. Fitzpatrick's CDS privileges were reinstated on condition that he continue to follow the Board's protocol for use of triplicate, sequentially numbered prescription blanks; continue monitoring by the PAP; and have a licensed or registered dental auxiliary present when he is engaged in the practice of clinical dentistry. Dr. Fitzpatrick agreed to an order of automatic suspension upon failure to comply with the terms of the July 1, 2009 Order.

In support of his current application for an unrestricted license, Dr. Fitzpatrick provided a letter from Dr. Edward Reading, Assistant Director, PAP, dated January 5, 2010 in support of Dr. Fitzpatrick's application for unrestricted licensure. The PAP attested to his continued recovery, noting that he has undergone the required urine screens all of which were negative for illicit drug use, attends three NA meetings a week, has over three years of documented recovery, and as of August 6, 2008, was considered to be in sustained full recovery.

The Board is satisfied that Dr. Fitzpatrick has complied with the prior Orders, fulfilled all PAP requirements, participated appropriately in urine testing, attended NA meetings, and appears to have been in stable recovery for three years.

The Board having determined that the within Order is adequately protective of the public health, safety, and welfare,

IT IS ON THIS 7th DAY OF April, 2010

ORDERED:

1. John Fitzpatrick, 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