



Respondent appeared without counsel at an investigative inquiry into the matter and testified regarding his treatment of the patient. He acknowledged that the treatment notes he submitted to the Board were recopied, claiming that he had done so to make the notes easier to read. Though requested to do so, Dr. Dounski was unable to produce the original treatment notes as he had discarded them, He was also unable to produce a signed treatment plan or the full mouth radiographs for the patient.

Having reviewed the entire record, including the testimony of respondent at the investigative inquiry, it appears to the Board that these facts establish basis for disciplinary action pursuant to N.J.S.A. 45:1-21(d), in that respondent engaged in repeated acts of negligence by using non-diagnostic radiographs prior to commencing endodontic therapy and failing to perform endodontic therapy within the standard of care; and violated N.J.S.A. 45:1-21(h), in that respondent failed to keep a contemporaneous, permanent patient record for P.R. and failed to have adequate diagnostic radiographs, as required by N.J.A.C. 13:30-8.7.

It now appears that respondent desires to resolve this matter without admissions and without recourse to formal proceedings; and the Board having determined that resolution of this matter in a manner consistent with this order is adequately protective of the public health, safety, and welfare, and for good cause shown:

IT IS ON THIS        DAY OF        , 2010

ORDERED AND AGREED THAT:

1. Respondent shall cease and desist the acts and practices found to be in violation of the statutes and regulations governing the practice of dentistry as detailed above.

2. Respondent shall successfully complete the following continuing education: seven (7) hours in record keeping, seven (7) hours in diagnosis and treatment planning, and seven (7) hours in "hands-on" endodontics. These courses shall be completed within six (6) 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 also shall be required to complete the attached continuing education Report and Proof of Attendance as proof of successful completion of the required course work. The attached forms are made a part of this Consent Order, and a separate form is to be used for each course.

3. Within nine (9) months of the date of this order, respondent shall fully attend, successfully complete, and pass the ProBE (Professional Problem Based Ethics) course offered by The Ethics Group, 89 Summit Avenue, Suite 185, Summit, New Jersey 07901, the PRIME (Professional Renewal in Medicine through Ethics) course offered by the Center for Continuing Education in the Health Professions at UMDNJ-Robert Wood Johnson Medical School, 97 Paterson Street, Room 124, New Brunswick, New Jersey 08903, or other similar ethics course approved by the Board. Documentation of full attendance and successful completion of the course shall be provided to the Board within 30 days of completion of the course.

4. Respondent shall reimburse the patient identified in this order as P.R., the amount of \$2,209.20 for the failed endodontic treatment, crown, and post and core on teeth numbers 31 and 32. A certified check or money order made payable to the patient identified in this order as P.R. shall be sent contemporaneously with the signing of this

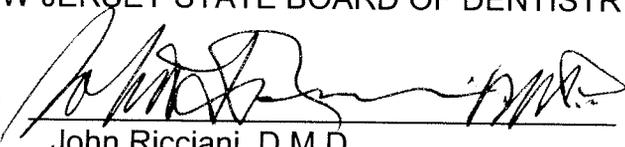
Consent Order to Jonathan Elsenmenger, Executive Director, Board of Dentistry, P.O. Box 45005, 124 Halsey Street, Sixth Floor, Newark, New Jersey 07101.

5. Respondent is assessed a civil penalty of \$5,000 pursuant to N.J.S.A. 45:1-25 for conduct with respect to poor record keeping and altering records after the fact. Payment shall be sent simultaneously with the signing of this Consent Order. Payment for the civil penalty shall be submitted by certified check or money order made payable to the State of New Jersey and shall be sent to the Executive Director, at the address set forth in paragraph #4. Subsequent violations will subject respondent to enhanced penalties pursuant to N.J.S.A. 45:1-25.

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

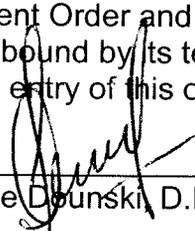
NEW JERSEY STATE BOARD OF DENTISTRY

By:



John Ricciani, D.M.D.  
Board President

I have read and understand this Consent Order and agree to be bound by its terms. I agree to the entry of this order.

  
\_\_\_\_\_  
Valerie Dounski, D.D.S.

\_\_\_\_\_  
Date

08/25/10