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Lt. Governor

New Jersey Office of the Attorney General

Division of Consumer Affairs
State Board of Dentistry
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VIA CERTIFIED AND REGULAR MAIL

August 18, 2010

RECEIVED AND FILED
WITH THE
N.J. BOARD OF DENTISTRY
ON 9-23-10 *MA*

Michael K. Jefferson, D.D.S.
408 Paddock Court
Sewell, NJ 08080

Re: Uniform Penalty Letter in Lieu of Formal
Complaint - Files #63254, #64627, #64629,
#64631, #64632, #64633, and #64634

Dear Dr. Jefferson,

The New Jersey State Board of Dentistry has reviewed the complaint files listed above, as well as the documentation you submitted concerning the continuing education you completed during the period November 1, 2003 through October 31, 2009. The Board has reviewed the materials you submitted and has preliminarily determined that:

1. You submitted electronic renewal applications for biennial licensure in 2005, 2007 and 2009 on which you indicated that you did not want your license placed on "inactive" status. You provided payments of \$390 with each renewal application, the appropriate fee for an "active" license. Accordingly, you were issued an "active" license for the biennial licensing periods.
2. On the online renewal applications you completed on October 29, 2005, October 30, 2007, and October 26, 2009, you answered "Yes," to question number 4, which states: "Will you have completed the required continuing education credit hours by..." (See copies attached).
3. Upon review of the materials you submitted in response to the Board, it appears that you provided proof of completing 28 credits towards the required forty credits of continuing professional education courses during the appropriate time period for renewal of your license (November 1, 2003 to October 31, 2005), in violation of N.J.S.A. 45:2B-68(a) and N.J.A.C. 13:29:6.1, et seq., which is grounds for disciplinary action pursuant to N.J.S.A. 45:1-21(h).
4. Upon review of the materials you submitted in response to the Board, it appears that you provided proof of completing 2 credits towards the required forty credits of continuing professional education courses during the appropriate time period for renewal of your license (November 1, 2005 to October 31, 2007), in violation of N.J.S.A. 45:2B-68(a) and N.J.A.C. 13:29:6.1, et seq., which is grounds for disciplinary action pursuant to N.J.S.A. 45:1-21(h).

5. Upon review of the materials you submitted in response to the Board, it appears that you provided proof of completing 4 credits towards the required forty credits of continuing professional education courses during the appropriate time period for renewal of your license (November 1, 2007 to October 31, 2009), in violation of N.J.S.A. 45:2B-68(a) and N.J.A.C. 13:29:6.1, et seq., which is grounds for disciplinary action pursuant to N.J.S.A. 45:1-21(h).
6. By failing to complete the required continuing education credits after submitting three separate renewal applications in which you indicated that you would have completed the continuing education for licensure, you engaged in the use or employment of misrepresentation, which is grounds for disciplinary action pursuant to N.J.S.A. 45:1-21(b).
7. Your treatment of patient J.W., which included constructing and cementing a two-unit cantilevered bridge, failed and had to be redone six months after insertion.
8. Your treatment of patient E.J., which included placing a crown, was found to have open margins and a poor fit, and had to be remade.
9. A subsequent treating dentist examined patient M.M. following your treatment, which included extracting two teeth, and found a large retained root at each site, which had to be removed by the subsequent treating dentist.
10. Your treatment of patient A.W., which included placing a five-unit lower anterior bridge, resulted in an abscess developing in tooth #22 a few days after cementation, and had to be re-made by a subsequent treating dentist.
11. Your treatment of patient R.V., which included placing a nine-unit bridge, was found to have four or more open margins and remaining marginal decay shortly following your cementation of the bridge.
12. Your treatment of patient R.D., which included cementing a full crown on tooth #19, had a large open distal margin under the crown, and had to be redone by a subsequent treating dentist.

You are hereby offered the opportunity to settle this matter and avoid the initiation of formal disciplinary proceedings by signing the enclosed certification and agreeing to **pay a civil penalty in the amount of \$1,250.00** within thirty (30) days of receipt of this letter. You also agree to **make up the 86 credits of continuing education you are deficient**. As part of these credits, you must complete a fourteen (14) credit hands-on course in crown and bridge and a seven (7) hour course in diagnosis and treatment planning. These twenty-one (21) hours of hands-on continuing education must be pre-approved by the Board prior to attendance. Although the Board does not recommend any particular company or institution, you may wish to contact the University of Medicine and Dentistry of New Jersey in Newark, NJ at (973) 972-7103, the Oral Health Institute located outside of Cleveland, Ohio at (440) 554-3304, or the New York University College of Dentistry in New York, NY at (212) 998-9757.

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Dr. Michael Jefferson
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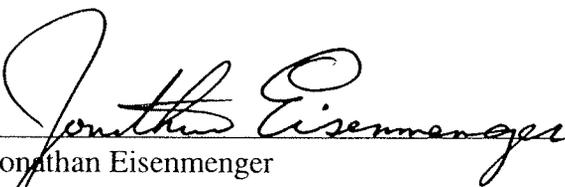
You may also choose to **submit a written explanation** to the Board and waive your right to a hearing. The Board will then consider the statement you submit and render a final decision, which may include any of the terms set forth above. You should be aware that the disposition of this matter will be a public record.

Finally, if you do not wish to settle this matter, you may **request an administrative hearing**. In this event, this letter will serve as a notice of the charges against you and a hearing will be scheduled before the Board. At that hearing, you may, either personally or with the assistance of an attorney, submit such evidence as you may deem necessary in order for the Board to finally determine whether the unlawful acts set forth herein have been proved.

You should also be aware that upon final evaluation of the evidence submitted at the hearing, the Board may, if unlawful acts are found to exist, assess civil penalties in an amount greater than that herein offered in settlement. Additionally, the Board may, if the facts are found to so warrant, enter an order requiring you to reimburse certain monies, directing you to cease and desist from engaging in unlawful acts, requiring you to pay costs incurred by the Board, and/or directing that you cease and desist from continued use of those acts found to be unlawful.

The enclosed certification should be completed and returned to the Board with your indicated course of action within thirty (30) days following your receipt of this letter. In the event that the Board receives no response within thirty (30) days, the Board's settlement offer will be withdrawn, the allegations contained herein shall be deemed admitted, and the Board will proceed to finally review this matter and enter an appropriate final order.

STATE BOARD OF DENTISTRY


Jonathan Eisenmenger
Executive Director

Cc: Nancy Costello Miller, DAG

CERTIFICATION

Complaint of The Board vs. Michael Jefferson

License # 22DI01675600

I have read and reviewed the Board's letter dated Aug 18, 2010 regarding alleged violations of the Board's enabling act and/or Board regulations.

Please Check One:

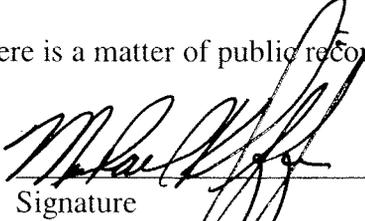
I, Michael K. Jefferson, DDS, acknowledge the conduct which has been charged and agree to:

X Pay the total penalty in the amount of **\$1,250.00** (to be paid upon the signing of this certification). I will complete the eighty six (86) credits of continuing professional education, including a fourteen (14) credit hands-on course in crown and bridge and a seven (7) hour course in diagnosis and treatment planning, to make up for the deficiency from the 2003-2005, 2005-2007, and 2007-2009 licensing periods. These twenty-one (21) hours of hands-on continuing education must be pre-approved by the Board prior to attendance.

_____ I hereby waive any rights I may have to a hearing in this matter in order to defend myself against charges, but ask the Board to **consider my explanation** before rendering its final decision. I understand that the Board may order any of the terms specified in its letter and that if it does so I will be obliged to comply.

_____ I **request a formal administrative hearing** to contest the charges specified in the Uniform Penalty Letter. I understand that I will be advised of the time, date and place for that hearing at another time. I am aware that I may be represented by an attorney at the time of the hearing where I may submit to the Board testimony and documentation relevant to the charges. I understand that in making its final decision, the Board may, if unlawful activity is proven, assess civil penalties in an amount greater than that herein offered in its letter and may order such other remedies as it may deem appropriate. I am also aware that this proceeding is a matter of public record.

I am aware that the action taken against me by the Board here is a matter of public record and that the Board's letter and this certification are public documents.



Signature

MICHAEL K. JEFFERSON
Print Name

Dated: Sept 17, 2010