

PAULA T. DOW
ATTORNEY GENERAL OF NEW JERSEY
Division of Law 5th Floor
124 Halsey Street
P.O. Box 45029
Newark, New Jersey 07101
Attorney for State Board of Dentistry

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WITH THE
N.J. BOARD OF DENTISTRY
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STATE OF NEW JERSEY
DEPARTMENT OF LAW & PUBLIC SAFETY
DIVISION OF CONSUMER AFFAIRS
BOARD OF DENTISTRY

IN THE MATTER OF

Administrative Action

GERALD J. WHITEMAN, D.D.S.
License No. 22 DI00767800

ORDER OF
REINSTATEMENT

LICENSED TO PRACTICE DENTISTRY
IN THE STATE OF NEW JERSEY

Gerald Whiteman, D.D.S. (Dr. Whiteman or respondent), accompanied by Brian Whiteman, Esq., appeared before the New Jersey State Board of Dentistry on May 5, 2010, in connection with his request to reinstate his license. The Board had suspended Dr. Whiteman's license, effective April 17, 2008, for a period of five years, two years as an active suspension, through a Final Order of Discipline. That order was based on respondent's conviction for Health Care Claims Fraud in the Second Degree. Pursuant to the final order, respondent, at the time he sought reinstatement, was required to demonstrate to the Board that he is capable of discharging the functions of a licensee in a manner consistent with the public's health, safety and welfare. The Board, in its sole discretion, reserved the right to place conditions on respondent upon his return to practice as the Board found necessary to protect the public health, safety and welfare.

Respondent has provided proof of continuing education taken during his period of suspension and has paid applicable fees.

During his appearance, respondent addressed issues related to the conduct underlying his conviction and his activities during the period of suspension. While it appears from his testimony that respondent may have violated the directives regarding suspended licensees by his presence in his son's dental office, the Board believes it was not a deliberate violation and will not pursue any further discipline related to that lapse.

Based on the information submitted, the Board has determined that respondent may have his license reinstated subject to the conditions outlined in this order. During the period of stayed suspension, respondent shall be subject to random audits, at his expense. The Board finds this order to be adequate to protect the health and welfare of the public, and that good cause exists for its entry:

IT IS ON THIS 6th DAY OF October, 2010,

ORDERED:

1. The license of Gerald Whiteman, D.D.S., to practice dentistry is reinstated.
2. During the period of stayed suspension (served as a period of probation), respondent shall be subject to random audits of his practice conducted by the Board or its representative. Any costs associated with the audits shall be borne by respondent. Payment of costs shall be made within 30 days of receipt of an affidavit of costs. Nothing in this paragraph shall limit the Board in taking any action related to any information uncovered by the random audit, including disciplinary action.

New Jersey State Board of Dentistry

By: Herbert B. Dolinsky

John F. Ricciani, D.M.D.

Acting President

Herbert B. Dolinsky, DDS