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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 :
 : OF THE LICENSE OF :

EDWARD WALLENDJACK. D.M.D. :
License # 22DI 00997500 :

TO PRACTICE DENTISTRY :
IN THE STATE OF NEW JERSEY :

Administrative Action

**CONSENT ORDER OF
REINSTATEMENT**

The State Board of Dentistry received the application of Edward Wallendjack, D.M.D. ("Dr. Wallendjack" or "respondent"), to reinstate his license, which had been voluntarily surrendered in August 2010, following his acknowledgment that he had issued and filled multiple prescriptions for controlled dangerous substances under fictitious names for his own use. On April 20, 2011, respondent appeared before the Board with David Canavan, M.D., of the Professional Assistance Program (PAP).

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Pursuant to the Consent Order of Voluntary Surrender of Licensure, upon an application for reinstatement, respondent was required to demonstrate to the Board that he was capable of discharging the functions of a licensee in a manner consistent with the public's health, safety and welfare, and provide the Board with reports from all mental health professionals who had participated in respondent's care and/or treatment. Additionally respondent was required to submit to random urine testing with the PAP, with results forwarded to the Board.

In support of the application for reinstatement, respondent discussed his participation in the Professional Assistance Program. Since his entry into the program in July 2009, respondent has provided required urine screens, attended meetings of Alcoholics Anonymous two or three times a week, and had monthly meetings for the first year and meetings every other month during the second year with a clinical representative of the Professional Assistance Program. He has been in documented recovery for twenty-two months.

Based on the entire record, the Board has determined that respondent may have his license reinstated subject to the conditions outlined in this order. Respondent appears to be in stable recovery at this time. The Board finds that the restrictions placed on respondent's practice by this order are adequate to protect the health and welfare of the public, and that good cause exists for entry of this order:

THEREFORE, IT IS ON THIS 13th DAY OF June, 2011,

CONSENTED AND ORDERED:

1. The license of Edward Wallendjack, D.M.D., to practice dentistry in this State shall be reinstated subject to the terms of this order.

2. Respondent shall continue his participation in the Professional Assistance Program (PAP) and shall comply with the recommendations for treatment, including but not limited to:

(a) monthly face-to-face contact with representatives from that program for the first six months following entry of this order;

(b) attendance at support groups, NA or AA meetings, at a minimum of three times per week;

(c) urine monitoring not less than once a week for the first year following entry of this order;

(d) counseling as recommended by the PAP; and

(e) monthly face to face follow-up with a clinical representative of the PAP for at least six months following return to practice, followed by appointments not less than every two months for the next six months.

3. If respondent discontinues participation with the PAP or fails to comply with the conditions imposed by the program or outlined in this consent order without obtaining approval of the Board and the PAP, he shall be deemed in violation of this Order.

4. Respondent shall abstain from the use of alcohol and from all psychoactive substances, unless prescribed by a treating physician for a documented medical condition with prior notification to the Executive Medical Director of the PAP of the diagnosis and prescribed medications. In addition, respondent shall advise any and all treating physicians and/or dentists of her history of substance abuse.

5. The PAP shall submit quarterly reports, including urine results, to the Board regarding respondent's participation and compliance with all requirements of the PAP and this order. If respondent has a positive urine, misses an appointment without consent, or has a lapse or slip in her recovery, or if respondent terminates recommended

counseling or his participation with the PAP, the PAP shall immediately inform the Board. For purposes of this paragraph, "immediately" shall mean reporting the information orally within 24 hours and following up with a written report within 48 hours.

6. (a) Any failure by respondent to submit or provide a urine sample within twenty-four (24) hours of a request will be deemed to be equivalent to a confirmed positive urine test. In the event respondent is unable to appear for a scheduled urine test or provide a urine sample due to illness or other impossibility, consent to waive that day's test must be secured from the PAP. Respondent shall notify the PAP if he will be out of the State for any reason, so that the program may make a determination regarding alternate testing.

(b) Any urine test result showing creatinine levels below 20 mg/dL and a specific gravity below 1.003 shall create a rebuttable presumption of a confirmed positive urine test. Any such result shall be followed immediately by a confirming GC/MS test.

(c) Respondent shall familiarize himself with all foods, food additives or other products (such as poppy seeds) which may affect the validity of urine screens, be presumed to possess that knowledge, and shall refrain from the use of such substances. Ingestion of such substances shall not be an acceptable reason for a positive urine screen and/or failure to comply with the urine monitoring program.

(d) The PAP may, after notifying the Board, modify the frequency of testing or method of testing during the monitoring period.

7. Respondent shall provide any and all releases to any and all parties who are participating in a monitoring, treatment, or other program as outlined in this order, as may be required in order that all reports, records, and other pertinent information may be provided to the Board in a timely manner. Respondent agrees that any information

received by the Board regarding respondent's treatment or participation in a monitoring program may be used in connection with any proceedings pertaining to his license.

8. Respondent shall be permitted to write prescriptions only for patients as required in connection with dental treatment or to administer medication to patients in the course of dental treatment, in accordance with the following terms and conditions:

(a) Respondent may prescribe or dispense controlled dangerous substances.

(b) Respondent shall use sequentially numbered, triplicate prescription pads for all prescriptions. If respondent wishes to electronically or telephonically transmit prescriptions, he shall first submit a plan to the Board for approval for the tracking and logging of all such prescriptions.

(c) Respondent shall continue to provide the original prescription to the patient, attach one copy of the prescription to the patient record, and submit the third copy to the Board, attention: Jonathan Eisenmenger, Executive Director, on a monthly basis. For purposes of this paragraph, patient record shall mean the treatment record for the date on which the patient was treated an/or on which the medication was prescribed, as well as a copy of the patient's medical history, including updates.

(d) Respondent shall be required to account for each consecutively numbered prescription, regardless of whether the particular prescription was voided or not used for any purpose whatsoever.

(e) Respondent shall comply with all State and federal laws and regulations governing the purchase, storage, use, and dispensing of controlled dangerous substances.

(i) If respondent administers or dispenses CDS to a patient in his practice, he shall maintain a log for each administration or dispensing event, which log shall

include the patient name, date, name of medication, dosage, and units administered or dispensed.

ii) Respondent shall submit a true copy of the log to the executive director along with a copy of the patient record for each patient listed on a monthly basis.

(f) Respondent shall relinquish all current prescription pads bearing respondent's name to Jonathan Eisenmenger, Executive Director, within ten days from the entry date of this order. Respondent shall not use or possess any prescription blanks except triplicate prescription blanks until further order of the Board.

9 . Respondent shall successfully complete seven hours of continuing education in pharmacology. The course shall be completed within six months of the entry of this Consent Order, and shall be approved by the Board in writing prior to attendance. This course is in addition to the continuing education hours required for renewal of license. Respondent shall complete the attached continuing education course approval and shall provide proof of successful completion of the required course work.

10. (a) Respondent shall be subject to an order of automatic suspension of his license upon the Board's receipt of any information which the Board, in its sole discretion, deems reliable demonstrating that respondent has failed to comply with any of the conditions set forth in this consent order, including but not limited to report of a confirmed positive urine, or a prima facie showing of use of alcohol or drugs.

(b) Respondent shall have a right to apply for removal of the automatic suspension on ten (10) days notice to the Board and to the Attorney General. The Board may hold a hearing on that application before the full Board or before a committee of the Board. In the event a committee hears the application, its action shall be effective immediately and subject to ratification of the full Board at its next scheduled meeting. In

a hearing seeking removal of the automatic suspension, any confirmed positive urine shall be presumed valid.

11. Nothing in this order shall be deemed to preclude the Board from taking any action it deems appropriate should the Board's review of information cause it to determine that such action is warranted or from imposing restrictions or conditions on respondent's license should the Board determine that such restrictions or conditions are appropriate to protect the public health, safety, and welfare.

NEW JERSEY STATE BOARD OF DENTISTRY

By: Herbert B. Dolinsky D.D.S.
Herbert B. Dolinsky, D. D.S.
Acting President

I have read and I understand the terms of this order and agree to be bound by it.
I consent to the entry of this order.

Edward Wallendjack
Edward Wallendjack, D.M.D.

6/06/11
Date

I have read the terms of this order and agree on behalf of the Professional Assistance Program to comply with its terms pertaining to the PAP.

Louis E. Baxter, Sr.
Louis E. Baxter, Sr., M.D.
Executive Medical Director
Professional Assistance Program

6/7/11
Date