

RECEIVED AND FILED
WITH THE
N.J. BOARD OF DENTISTRY
ON 12-21-11 DA

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

By: Swang Oo
Deputy Attorney General
(973) 648-3696

STATE OF NEW JERSEY
DEPARTMENT OF LAW AND PUBLIC SAFETY
DIVISION OF CONSUMER AFFAIRS
BOARD OF DENTISTRY

IN THE MATTER OF : Administrative Action
: :
SADETTIN SEN, D.D.S. : CONSENT ORDER
License No. 22DI01783900 : :
: :
LICENSED TO PRACTICE DENTISTRY : :
IN THE STATE OF NEW JERSEY : :

This matter was opened to the New Jersey State Board of Dentistry (the "Board") upon receipt of information from the Office of Insurance Fraud Prosecutor ("OIFP") that Sadettin Sen, D.D.S. ("respondent"), without admitting the conduct, had entered into a Settlement Agreement with Delta Dental Insurance on May 5, 1999 based on allegations that respondent billed for services not rendered. Respondent settled with Delta Dental for a repayment of \$18,000.00 with respect to claims paid and costs incurred.

On December 6, 2006, respondent appeared with John Paul Dizzia Esq., at an investigative inquiry before the Board. A review of fifteen (15) patient charts and respondent's testimony indicates that respondent did not bill patients for co-payments due, instead accepting insurance reimbursement as payment in full for treatment

rendered. Respondent testified that he provided discounts to some of his patients and routinely accepted insurance payments in full without conspicuously disclosing on the claim that he waived co-payments and did not bill patients for co-payments.

Regarding patients B.K., M.S. and D.A., respondent did not maintain adequate patient records. Specifically, respondent performed endodontic procedures without making notations in the charts of any x-rays having been taken, although he admitted that he always takes preoperative, working, and postoperative x-rays of his endodontic cases and the patients' files contain x-rays. In addition, the patient charts were incomplete as to information about fees, proposed treatment, treatment plans, consent forms, alternative therapies, examination results, and financial documentation, with no record of billing appearing in any of the charts. Further, respondent testified that although many of his patients did not allow him to perform a comprehensive examination or provide a full treatment plan, he still renders limited treatment to these patients.

Having reviewed the entire record, including the testimony of respondent at the investigative inquiry, it appears to the Board that he failed to maintain records consistent with N.J.A.C. 13:30-8.7 (B.K., M.S. and D.A.) and he failed to provide accurate information when he submitted claims to third party payors in violation of N.J.A.C. 13:30-8.10(c).

These facts establish a basis for disciplinary action pursuant to N.J.S.A. 45:1-21(h). It appearing that respondent desires to resolve this matter without admissions and without recourse to formal proceedings, and the respondent waiving any right to a hearing, and the Board having been satisfied that the within resolution adequately protects the public health, safety and welfare, and for good cause shown:

IT IS on this 21st day of December, 2011;

HEREBY ORDERED AND AGREED THAT:

1. Respondent shall submit accurate information on all claims submitted for payment to third party payors, including but not limited to the actual charges to the patients for services rendered.

2. Respondent is assessed civil penalties pursuant to N.J.S.A. 45:1-22, totaling \$1,000.00 for violating N.J. S.A. 45:1-21(h). Subsequent violations will subject respondent to enhanced penalties pursuant to N.J.S.A. 45:1-25.

3. Payment of the civil penalties and costs totaling \$1,000.00 shall be submitted by certified check or money order made payable to the State of New Jersey and shall be sent to Jonathan Eisenmenger, Executive Director, P.O. Box 45005, 124 Halsey Street, Sixth Floor, Newark, New Jersey 07101, no later than thirty (30) days from the entry of this Consent Order.

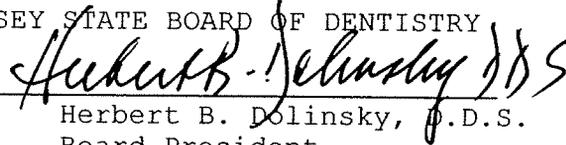
4. Failure to timely remit any payment as required by this Order will result in the filing of a certificate of debt and other proceedings as permitted by law, and shall constitute a violation of this Consent Order.

5. Respondent shall develop a treatment plan that commensurates with patient's needs, consistent with the standard of care.

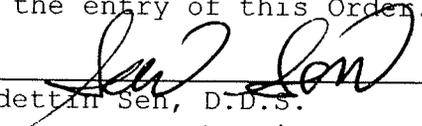
6. Failure to comply with any of the terms of this Consent Order may result in further disciplinary action.

NEW JERSEY STATE BOARD OF DENTISTRY

By:


Herbert B. Dolinsky, D.D.S.
Board President

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


Sadettin Sen, D.D.S.

Date

12/2/11