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

IN THE MATTER OF THE SUSPENSION :
OR REVOCATION OF THE LICENSE OF

LOUISA CORREA, D.D.S.
License No. 22DI01815900

Administrative Action

FINAL ORDER

TO PRACTICE DENTISTRY :
IN THE STATE OF NEW JERSEY :

The New Jersey State Board of Dentistry opened this matter after it reviewed information that in September 2007, Louisa Correa, D.D.S. (" Dr. Correa" or "respondent"; she is also known as Louisa Correa-Hunter ¹), Sunrise Dental Group, P.C., and DJM Dental, LLC, entered into a settlement agreement with Delta Dental of New Jersey. By the terms of that agreement, Dr. Correa agreed to pay \$200,000 in restitution based on inaccurate information on claims submitted for payment. In the settlement, Dr. Correa and the dental practices made no admissions and specifically denied any wrong-doing. In December 2008, following an action by the Office of the Insurance Fraud Prosecutor (OIFP), Dr. Correa consented to a civil judgment in favor of the State of New Jersey in the amount of \$85,000 (civil penalty of \$65,000 and attorney's fees of \$20,000). In that Stipulation of Settlement, Dr. Correa acknowledged "that poor record keeping practices and a lack of administrative control resulted in misleading and inaccurate information

¹ Dr. Correa is now divorced. Prior to the divorce, Dr. Correa used the surname "Correa-Hunter." The exhibits refer to her as Dr. Correa-Hunter.

being provided to Delta Dental in support of claims for insurance benefits on multiple occasions.”

The conduct underlying the Delta Dental settlement and the OIFP civil matter also resulted in a criminal prosecution, and Dr. Correa was convicted in April 2009 for one count of theft by deception. She was sentenced to one year probation and required to maintain gainful employment. In the plea colloquy, Dr. Correa acknowledged that she had permitted Adrian Manzano, a person who did not hold a license to practice dentistry or dental hygiene in this State, to perform dental hygiene services on patients. Claims for those procedures were submitted for payment under Dr. Correa’s name.

The Board, noting that these facts provided a basis for discipline, offered to resolve the matter through entry of a consent order. Dr. Correa asked that she be permitted to appear before the Board and present mitigation. Respondent agreed to stipulate to facts and to waive her right to a hearing in a contested case, which would have followed the filing of an administrative complaint; the matter was scheduled for a mitigation hearing. Dr. Correa, represented by Nicholas Sekas, Esq., and the Attorney General, by Bindi Merchant, Deputy Attorney General, stipulated to the facts and evidence (Exhibits P-1 through P-6). This order follows.

On November 16, 2011, the Board initially reviewed the stipulations and evidence and, after deliberating in executive session, found that Dr. Correa had engaged in practices that violate the statutes and regulations governing the practice of dentistry. Specifically, Dr. Correa filed claims with third party payors containing inaccuracies, was convicted of a crime related to the practice of the dentistry, and entered into a stipulation of settlement with the Office of the Insurance Fraud Prosecutor. These facts, as urged by

the Attorney General, provide a basis for discipline under N.J.S.A. 45:1-21 (b), (e), (f), and (k). Additionally, the Board found that the facts established a basis for discipline pursuant to N.J.S.A. 45: 1-21(n), as Dr. Correa permitted an unlicensed person to perform services for which a license is required (dental hygiene services).

Having found several bases on which to take action against Dr. Correa, the Board moved to the mitigation phase of the proceeding. Respondent's counsel presented a mitigation statement, attaching letters from two of Dr. Correa's children, several testimonial letters, and some communications from Dr. Correa's ex-husband (Exhibit R-1). The Board heard testimony from Louis Baer and Lorraine Baer and Tommy Damaras, who know Dr. Correa both socially and as patients. They testified to her professional competence, personal generosity, and kindness and her devotion to her family. While other witnesses were present and prepared to testify, the Board, after hearing a proffer as to the testimony to be presented, declined, exercising its prerogative to limit testimony that is cumulative or repetitive.

Dr. Correa also testified. She explained that she and John Hunter, D.D.S., owned a dental practice together, and that she worked at the practice part time while caring for their young children. Upon her divorce from Dr. Hunter in 2002, she became owner of the dental practice, although Dr. Hunter continued to work at the practice until 2004. During that time, she continued the procedures that had been in place regarding billing and she permitted an unlicensed person to provide dental hygiene services. Dr. Correa detailed the criminal and civil actions related to submissions of false claims and accepted responsibility for her conduct. She described changes to her practice to ensure that the unlawful conduct is not repeated. Dr. Correa discussed her charitable work including

traveling to the Dominican Republic and Columbia to provide dental services to indigent persons. She testified that her ex-husband is behind in child support and that she is the sole provider for herself, her children, and her parents.

The Board fully considered the testimony of Dr. Correa and other witnesses presented in mitigation of the penalty to be imposed. While Dr. Correa has presented a story of great hardship, the Board remains very troubled by Dr. Correa's conduct. Her actions in failing to supervise her practice and in submitting inaccurate claims for payment resulted in her conviction of theft by deception and settlement with the Office of the Insurance Fraud Prosecutor. But perhaps most significant is that she knowingly permitted an unlicensed person to perform hygiene services. These transgressions are serious, and would, under virtually all circumstances, call for a lengthy suspension and significant penalties. Notwithstanding the Board's concerns, it is persuaded by the mitigation testimony of Dr. Correa and her supporters. Dr. Correa has already paid both monetarily and professionally for her conduct. To order a lengthy suspension given the extreme financial straits, will serve to hurt her family for whom she is the sole means of support.

Accordingly, the Board orders that the license of Dr. Louisa Correa shall be suspended for a period of three years, of which one month shall be an active suspension, and the remainder served as a period of probation, She is further reprimanded for her conduct. Dr. Correa is assessed attorney's fees of \$2848.50 and costs of \$266.98. The Board has reviewed the exhibits introduced regarding costs and attorney's fees and finds that both are reasonable as to fees charged and hours expended, given the importance of the issues involved. Respondent raised no objection to the costs or fees sought. Dr.

Correa shall perform 100 hours of community service by providing dental services to eligible persons in the State of New Jersey as approved by the Board. While the Board would ordinarily order that Dr Correa participate in an ethics course, because she has acknowledged her conduct and taken corrective actions, it will not do so here.

The Board announced its decision orally on November 16, 2011, and directed that Dr. Correa serve the active period of her suspension beginning January 1, 2012, so that she had adequate time to ensure her patients treatment was not unduly disrupted.

THEREFORE, IT IS ON THIS 7th DAY OF MARCH, 2012,

ORDERED:

1. Louisa Correa's license to practice dentistry shall be suspended effective on January 1, 2012, for a period of three years, of which one month shall be served as a period of active suspension, the remainder of which shall be stayed and served as a period of probation. Consistent with the oral announcement of the Board's decision on November 16, 2011, Dr. Correa served the active period of suspension between January 1, 2012 and January 31, 2012.
2. Respondent is reprimanded for her conduct in permitting an unlicensed person to perform services for which a license is required.
3. During the period of probation, respondent shall perform 100 hours of community service by providing dental services without charge to eligible persons in the State of New Jersey as approved by the Board. The submission for approval of community service shall include the place, dates, and nature of services to be provided. Prior to the end of the probationary period, respondent shall provide proof of successful completion of community service.

4. Respondent shall pay costs of \$266.98 and attorney's fees of \$2848.50 pursuant to N.J.S.A. 45:1-25(d). Payment totaling \$3115.48 shall be made within 30 days of the entry of this order, and forwarded to Jonathan Eisenmenger, Executive Director, State Board of Dentistry, P.O. Box 45005, Newark, New Jersey 07101.

5. During the period of probation, should respondent, after an opportunity to be heard, be found to have violated any law or regulation administered by the Board, in addition to any sanction for the violation, the remaining probationary period shall be converted to an active suspension of respondent's license.

NEW JERSEY STATE BOARD OF DENTISTRY

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