

RECEIVED AND FILED
WITH THE
N.J. BOARD OF DENTISTRY
ON 7-24-13 DA

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

By: Nancy Costello Miller
Deputy Attorney General
(973) 648-4738

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

IN THE MATTER OF :
: Administrative Action
RICHARD W. EYTEL, D.M.D. :
License No. 22DI 01083400 :
: CONSENT ORDER
LICENSED TO PRACTICE DENTISTRY :
IN THE STATE OF NEW JERSEY :

The New Jersey State Board of Dentistry ("Board") received information that Richard W. Eytel, D.M.D. (Dr. Eytel or respondent), engaged in acts that constitute professional misconduct. Specifically, it has been alleged that Dr. Eytel permitted unlicensed and unregistered persons to provide fluoride treatment for patients in his practice.

Having reviewed a patient complaint and the investigative report prepared at the Board's request, it appears that over a period of years, Dr. Eytel permitted unregistered dental assistants to apply fluoride treatment to pediatric patients, ostensibly under the supervision of a dental hygienist.

These facts establish a basis for disciplinary action pursuant to N.J.S.A. 45:1-21(e) as respondent permitted unlicensed persons to perform activities that require a license or registration. It appearing that respondent desires to resolve this matter without recourse to formal proceedings and for good cause shown;

IT IS ON THIS 18 DAY OF July , 2013,

HEREBY ORDERED AND AGREED THAT:

1. Richard W. Eytel, D.M.D., shall cease and desist from permitting unlicensed and unregistered persons from performing acts that require a license or registration.

2. Respondent is hereby assessed civil penalties, pursuant to N.J.S.A. 45:1-22 in the amount of \$2,000. Payment for the civil penalties shall be submitted by check or money order made payable to the State of New Jersey and shall be sent to Jonathan Eisenmenger, Executive Director, Board of Dentistry, P.O. Box 45005, 124 Halsey Street, Sixth Floor, Newark, New Jersey 07101, not later than August 15, 2013. Subsequent violations will subject respondent to enhanced penalties pursuant to N.J.S.A. 45:1-25.

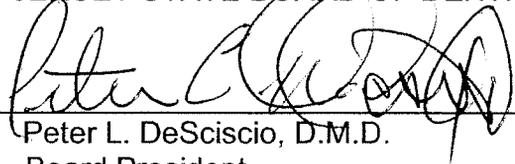
3. Respondent is assessed the costs of the investigation to the State in this matter in the amount of \$1000. Payment for the costs shall be submitted by bank check or money order made payable to the State of New Jersey and submitted to the Board no later than August 15, 2013. Payment shall be sent to Jonathan Eisenmenger at the address described in paragraph #2.

4. Respondent shall develop an in-office manual that delineates job functions for his employees, including scopes of practice and pertinent limitations for each. Respondent shall provide a copy of the manual to the Board not later than June 30, 2013.

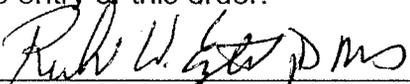
5. Failure to remit any payment required by this Order will result in the filing of a certificate of debt and other proceedings as permitted by law.

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

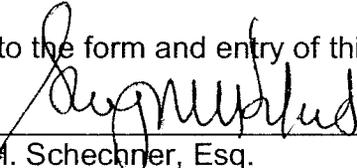
By: 
Peter L. DeSciscio, D.M.D.
Board President

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


Richard W. Eytel, D.M.D.

5/18/13
Date

I consent to the form and entry of this order.


Stephen H. Schechner, Esq.
Attorney for Dr. Eytel

7/19/13
Date