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

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IN THE MATTER OF	:	
	:	Administrative Action
<b>MURRAY W. BORMAN, D.D.S.</b>	:	
<b>License No. 22DI 01210200</b>	:	
	:	CONSENT ORDER
	:	
LICENSED TO PRACTICE DENTISTRY	:	
IN THE STATE OF NEW JERSEY	:	

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The New Jersey State Board of Dentistry ("Board") received information that Murray W. Borman, D.D.S. ("respondent"), had failed to treat patients within the standard of care in this State and had failed to maintain complete and accurate records. Specifically, it was alleged that respondent failed to treat the periodontal condition of two patients prior to rendering other treatment, failed to recognize and remove decay as to a patient, added entries to patient charts so that the treatment record reflected information on financial ledgers, maintained two sets of patient charts, and failed to submit accurate information to a third party payor. In addition, at least one patient chart did not contain a medical history and had only limited descriptions of diagnoses and treatment plans.

Respondent appeared with counsel, Richard Tanner, Esq., at an investigative inquiry held by the Board in 2005 and has provided additional information since that time. In responding to the complaints, he maintained that patients had declined to follow his treatment recommendations. He acknowledged adding entries to patient charts, but stated he had done so to make the treatment and financial documents consistent. Respondent is now represented by Monica Fillmore, Esq.

Having reviewed the entire record, including the testimony of respondent at the investigative inquiry, it appears to the Board that respondent failed to follow an appropriate sequence of therapy for two patients. Moreover, respondent failed to comply with the Board's record keeping and other regulatory requirements, N.J.A.C 13:30-8.7, and 8.10.

These facts establish basis for disciplinary action pursuant to N.J.S.A. 45:1-21 (b),(d), (e), and (h). It appearing that respondent desires to resolve this matter without admitting any negligence and without recourse to formal proceedings and for good cause shown:

IT IS ON THIS 13<sup>th</sup> DAY OF January, 2013,  
HEREBY ORDERED AND AGREED THAT:

1. Respondent has agreed to complete, and has provided proof of having successfully completed, six hours of continuing education in diagnosis and treatment planning and periodontics. These courses are in addition to the regularly required continuing education hours for renewal of a dental license.

2. Respondent shall make a contribution of \$1365 to the American Cancer Society in lieu of restitution to the patient identified in this order as W.W. Proof of payment of the contribution shall be sent within thirty (30) days of the entry date of this Consent Order to Jonathan Eisenmenger, Executive Director, Board of Dentistry, P.O. Box 45005, 124 Halsey Street, Sixth Floor, Newark, New Jersey 07101.

3. Respondent is assessed civil penalties, pursuant to N.J.S.A. 45:1-22, in the amount of \$1,500 for conduct with respect to altering patient records and for failing to maintain accurate and complete records. Payment for the civil penalties totaling \$1,500 shall be submitted by bank check or money order made payable to the State of New Jersey and shall be sent to Jonathan Eisenmenger, Executive Director, at the address described in paragraph #2 no later than thirty (30) days from the entry of this Consent Order. Subsequent violations will subject respondent to enhanced penalties pursuant to N.J.S.A. 45:1-25.

4. Failure to remit any payment required by this Order will result in the filing of a certificate of debt.

5. 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: Shirley Birenz, R.D.H.  
Shirley Birenz, R.D.H.  
Board ~~Vice~~ President  
Acting

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

Murray W. Borman, D.D.S. 12/16/13  
Murray W. Borman, D.D.S. Date

I consent to the form and entry of this order.

Monica Fillmore, Esq. 12/27/13 Date  
Monica Fillmore, Esq. 12/27/13 Date  
Attorney for Dr. Borman