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

IN THE MATTER OF : Administrative Action
:
DONALD P. LAPINE, D.M.D. : FINAL CONSENT ORDER
License No. 22DI02040800 :
:
LICENSED TO PRACTICE DENTISTRY :
IN THE STATE OF NEW JERSEY :

This matter was opened to the New Jersey State Board of Dentistry ("Board") following receipt of information that a malpractice insurance payment had been made on behalf of Donald Lapine, D.M.D. ("Respondent") concerning his treatment of D.P.

On March 7, 2012, Respondent appeared with counsel before the Board for an investigative inquiry.

A review of the underlying civil malpractice litigation record, the patient records, and Respondent's testimony, show that Respondent failed to develop an appropriate treatment plan for D.P. in light of her presenting conditions, failed to perform adequate diagnostic procedures and prepared teeth and fabricated crowns for D.P. outside the standard of care.

Respondent also failed to maintain patient records for D.P. consistent with N.J.A.C. 13:30-8.7, including failure to record treatment entries in sequence.

The Board finds that these facts establish basis for disciplinary action pursuant to N.J.S.A. 45:1-21 (d) for engaging in repeated acts of negligence concerning his treatment of D.P. Respondent also failed to adhere to a Board regulation, N.J.A.C. 13:30-8.7, and failed to comply with a Board promulgated regulation in violation of N.J.S.A. 45:1-21(h).;

IT IS ON THIS 5th DAY OF May, 2014

HEREBY ORDERED AND AGREED THAT:

1. Respondent is assessed civil penalties, pursuant to N.J.S.A. 45:1-22, totaling \$5,000.00, for a violation of N.J.S.A. 45:1-21(d). Payment of the civil penalties totaling \$5,000.00 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. Subsequent violations will subject respondent to enhanced penalties pursuant to N.J.S.A. 45:1-25.

2. Failure to remit any payment as required by this Consent Order will result in the filing of a certificate of debt and shall constitute a violation of this Consent Order.

3. Respondent shall successfully complete fourteen (14) hours of continuing education in crown and bridge (to include proper fabrication of crowns and provisional teeth); seven (7) hours of continuing education in diagnosis and treatment planning (to include establishing proper occlusion); and seven (7) hours of continuing education in record keeping, within six (6) months of the entry of this Consent Order. However, the Board notes that Respondent has taken the required record-keeping courses recently and the Board has agreed to only require Respondent to complete fourteen (14) hours of continuing education in crown and bridge (to include proper fabrication of crowns and provisional teeth) and seven (7) hours of continuing education in diagnosis and treatment planning (to include establishing proper occlusion). The course work, which shall be in addition to Respondent's regularly required continuing education hours, must be approved by the Board in writing prior to attendance. Respondent shall complete the attached continuing education course approval form. Respondent shall provide proof of successful completion of each course within thirty (30) days of completion.

4. Respondent, in accordance with current practice and standards of care, shall develop treatment plans, including proper sequencing of treatment, using sound professional judgment. Respondent shall fully comply with the patient record

rule, N.J.A.C. 13:30-8.7.

5. Failure to comply with any of the terms of this Consent Order may result in further disciplinary action and any additional relief determined by the Board to be appropriate based on the conduct found.

NEW JERSEY STATE BOARD OF DENTISTRY

By: Shirley Birenz, RDH
Shirley Birenz, RDH
Acting 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.

Donald P. Lapine
Donald P. Lapine, D.M.D.

5/6/14
Date

I consent to the form and entry of this Order.

Debra
Debra Marcus, Esq.
Attorney for Dr. Lapine

5-6-14
Date