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N.J. BOARD OF DENTISTRY
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STATE OF NEW JERSEY
DEPARTMENT OF LAW & PUBLIC SAFETY
DIVISION OF LAW
STATE BOARD OF DENTISTRY
OAL DOCKET NO.: BDS 05772-2015 N

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

BARBARA MARONPOT, D.D.S.
LICENSE NO. 22DI02172400

TO PRACTICE DENTISTRY
IN THE STATE OF NEW JERSEY

Administrative Action

FINAL CONSENT ORDER

This matter was opened to the New Jersey State Board of Dentistry ("Board") upon receipt of information that Barbara Maronpot, D.D.S. ("Respondent") allegedly indiscriminately prescribed Controlled Dangerous Substances ("CDS") in violation of N.J.S.A. 45:1-21(m).

On February 24, 2015, Respondent entered into an Interim Consent Order whereby she voluntarily agreed to cease and desist from the practice of dentistry.

On March 6, 2015, the Acting Attorney General ("Attorney General") filed a Verified Complaint and Order to Show Cause with the Board seeking the temporary suspension of Respondent's license to practice dentistry.

On March 17, 2015, Respondent entered into a Consent Order of Temporary Suspension. Therein, Respondent agreed to the immediate temporary suspension of her dental license while not admitting any wrongdoing.

The matter was transferred to the Newark Office of Administrative Law as a contested case before the Honorable Gail Cookson, A.L.J. Status conferences were held on November 9, 2015 and January 12, 2016.

Upon review of the information submitted and considering each of the allegations, including Respondent's denial of the allegations, the Board hereby finds that Respondent indiscriminately prescribed CDS without good cause or where Respondent knew or should have known that the substances were to be used for unauthorized consumption or distribution in violation of N.J.S.A. 45:1-21(m); prescribed CDS outside the scope of dentistry in violation of N.J.A.C. 13:45H-7.4 et seq.; drafted inaccurate patient treatment records in violation of N.J.A.C. 13:30-8.7(a)(7); was grossly negligent in a manner that endangered the life, health, welfare, or safety of a person in violation of N.J.S.A. 45:1-21(c); engaged in repeated acts of negligence in violation of N.J.S.A. 45:1-21(d); engaged in the use or employment of dishonesty, fraud, deception, or misrepresentation in violation of N.J.S.A. 45:1-21(b); and failed to be of good moral character as is required for licensing as a dentist pursuant to N.J.S.A. 45:6-3.

The parties being desirous of resolving this matter without the necessity of further legal proceedings, and it appearing that Respondent has read the terms of the within Order, understands their meaning and effect and consents to be bound by same, and the Board finding the within disposition adequately protects the public health, safety and welfare, and for good cause shown,

IT IS, therefore, on this 22nd day of April, 2016,

ORDERED that:

1. Respondent's New Jersey dental license is hereby suspended for five (5) years with three (3) years being served as an active suspension and the balance stayed and served as a period of probation.

2. The suspension of Respondent's license shall be effective nunc pro tunc March 17, 2015, the date of Respondent's Interim Consent Order of Temporary Suspension.

3. The period of active suspension will be tolled for any length of time that Respondent practices in another jurisdiction.

4. Respondent's New Jersey Controlled Dangerous Substances ("CDS") registration, with the consent of the Acting Director of the Division of Consumer Affairs ("Director"), and pursuant to his authority under N.J.S.A. 24:21-9 et seq., is permanently revoked. Respondent agrees that she shall not seek to obtain the return of her CDS Registration in the future. This CDS Registration revocation is independent of any action taken by the Board, the United States Drug Enforcement Administration ("DEA") or any other licensing or law enforcement authority.

5. Respondent shall immediately return her original New Jersey dental license and CDS registration to the New Jersey State Board of Dentistry, P.O. Box 45005, Newark, New Jersey 07101.

6. Respondent shall immediately advise the DEA of this Order, specifically the permanent revocation of her New Jersey CDS Registration.

7. Respondent is assessed a civil penalty of \$5,000.00 pursuant to N.J.S.A. 45:1-25.

8. Respondent is assessed \$16,299.81 in costs in this matter for the investigation, expert witness fees and costs, attorney fees and costs, and transcript costs pursuant to N.J.S.A. 45:1-25.

9. Payment of civil penalties and costs pursuant to Paragraphs Seven (7) and Eight (8) of this Consent Order in the total amount of \$21,299.81 shall be made by money order, bank or certified check, or wire transfer, made payable to the "State of New Jersey," and sent to the State Board of Dentistry, c/o Mr. Jonathan Eisenmenger, Executive Director, New Jersey Board of Dentistry, P.O. Box 45005, Newark, New Jersey 07101. Any payment in a form other than those noted in this Paragraph will be rejected and returned to the sender.

10. Respondent shall pay the penalties, costs and fees in the amount of \$21,299.81 prior to the completion of the three (3) year period of active suspension. Failure to make timely payment in accordance with this Consent Order shall result in the filing of a Certificate of Debt pursuant to N.J.S.A. 45:1-24 for the total amount due and owing at the time the Certificate of Debt is filed.

11. Respondent shall continue treatment and fully comply with the Professional Assistance Program of New Jersey ("PAP"). Respondent shall not discontinue such treatment unless or until the PAP declares in writing to the Board that she is fit to resume practice without treatment from and by the PAP. Respondent hereby waives any claim of privilege or confidentiality that she may have concerning reports and disclosures of the PAP to the Board and use by the Board of that information in any licensing proceedings.

12. Respondent shall be solely responsible for whatever costs are associated with her participation in PAP.

13. Prior to the completion of her three (3) year period of active suspension, Respondent shall attend and successfully complete a Board-approved recordkeeping course. Respondent shall be solely responsible for whatever costs are associated with her participation in the recordkeeping course. For purposes of this Consent Order, successful completion of the

recordkeeping course shall mean that all sessions were attended, all assignments were properly and appropriately completed and a passing grade was achieved which was unconditional and without reservation.

14. Prior to the completion of her three (3) year period of active suspension, Respondent shall attend and successfully complete the Personalized Education for Physicians' ("CPEP") "ProBE" ethics and boundaries program. For purposes of this Consent Order, successful completion of the recordkeeping course and the "ProBE" ethics and boundaries program shall mean:

a. Respondent has successfully completed all phases, assignments, and/or sessions of the ProBE ethics and boundaries program; and

b. CPEP/ProBE has unconditionally stated in a writing delivered to the Attorney General and to the Board that Respondent has satisfactorily and fully completed the ProBE course.

15. If Respondent fails to abide by any of the terms of this Order, such conduct shall be deemed to constitute professional misconduct in violation of N.J.S.A. 45:1-21(e). In that event, the Attorney General or the Board may commence a disciplinary proceeding seeking, among other things, an enhanced suspension or revocation of Respondent's license to practice dentistry.

16. The Board and the Attorney General will have complete access to any communications between Respondent and CPEP/ProBE and will have complete access to any reports, recommendations or evaluations issued by CPEP/ProBE or by any consultant that CPEP/ProBE recommends, including but not limited to the release of the assessment and evaluation report and, if recommended by the vendor, any medical and/or neuropsychological

evaluations. Respondent hereby authorizes CPEP/ProBE to provide copies of any recommendations, evaluations or reports to the Board and the Attorney General simultaneously with their provision to Respondent. In addition, the Board and its agents and employees may communicate directly with CPEP/ProBE regarding Respondent's participation in any educational program.

17. Respondent specifically acknowledges that any recommendations, results, evaluations, or reports issued by CPEP/ProBE may be introduced as evidence during the course of any future disciplinary proceedings.

18. The Attorney General and the Board may provide to CPEP/ProBE information they may possess with regard to Respondent, including but not limited to Respondent's Board file and the March 6, 2015 Verified Complaint and supporting exhibits filed by the Attorney General.

19. Respondent shall be solely responsible for all costs associated with her participation in any program conducted or administered by CPEP/PROBE and her compliance with any recommendations or requirements set forth thereby.

20. Prior to Respondent's resumption of her practice of dentistry, Respondent shall appear before the Board or a Committee thereof to demonstrate her fitness to resume practice, demonstrating at a minimum her compliance with all of the terms contained herein. Respondent shall be permitted to appear before a Committee of the Board ninety (90) days prior to the end of her suspension period. Respondent agrees that this allowance is merely to afford Respondent and the Board advance time to begin the process of addressing her reinstatement but that she cannot resume practicing prior to the conclusion of the entire period of suspension.

21. Respondent shall comply with the "Directives Applicable to any Licensee who is Disciplined or whose Surrender of Licensure or Cessation of Practice has been Ordered or agreed upon", which is attached hereto as "Exhibit 1" and made a part hereof.

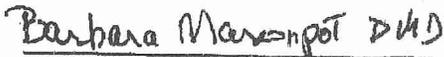
22. The parties hereby stipulate that entry of this Order is without prejudice to further action by this Board, the Attorney General, the Drug Control Unit, the Director of the Division of Consumer Affairs or any other law enforcement entities resulting from Respondent's conduct subsequent to entry of this Order.

23. This Consent Order shall be a final disposition of the Verified Administrative Complaint filed in this matter and docketed by the Office of Administrative Law as BDS 05772-2015 N. The Board shall retain jurisdiction to enforce the terms of this Order.

NEW JERSEY STATE BOARD OF DENTISTRY

By: 
Emil G. Cappetta, D.D.S.
Board President

I have read and understood the within Order and agree to be bound by its terms.


Barbara Maronpot, D.D.S.

Date: 4-21-16

Consent is hereby given as to the form and entry of this Order.


Debra M. Marcus, Esq.
Schechner Marcus, LLP
Attorney for the Respondent

Date: 4-21-16

EXHIBIT 1

**DIRECTIVES APPLICABLE TO ANY DENTISTRY BOARD LICENSEE
WHO IS SUSPENDED, REVOKED OR WHOSE SURRENDER OF LICENSURE
HAS BEEN ACCEPTED**

A practitioner whose license is suspended or revoked or whose surrender of license has been accepted by the Board, shall conduct him/herself as follows:

1. Document Return and Agency Notification

The licensee shall promptly deliver to the Board office at 124 Halsey Street, 6th floor, Newark, New Jersey 07102, the original license and current biennial registration certificate, and if authorized to prescribe drugs, the current State and Federal Controlled Dangerous Substances Registration. With respect to suspensions of a finite term, at the conclusion of the term, the licensee may contact the Board office for the return of the documents previously surrendered to the Board.

2. Practice Cessation

The licensee shall cease and desist from engaging in the practice of dentistry in this State. This prohibition not only bars a licensee from rendering professional services, but also from providing an opinion as to professional practice or its application, or representing him/herself as being eligible to practice. Although the licensee need not affirmatively advise patients or others of the revocation, suspension or surrender, the licensee must truthfully disclose his/her licensure status in response to inquiry. The disciplined licensee is also prohibited from occupying, sharing or using office space in which another licensee of this Board provides health care services. Unless otherwise ordered by the Board, the disciplined licensee may contract for, accept payment from another licensee for or rent at fair market value office premises and/or equipment. In no case may the disciplined licensee authorize, allow or condone the use of his/her provider number by the practice or any other licensee or health care provider. In situations where the licensee has been suspended for less than one year, the licensee may accept payment from another professional who is using his/her office during the period that the licensee is suspended, for the payment of salaries for office staff employed at the time of the Board action.

A licensee whose license has been revoked, suspended for one (1) year or more or permanently surrendered must remove signs and take affirmative action to stop advertisements by which his/her eligibility to practice is represented. The licensee must also take steps to remove his/her name from all prescription blanks and pads, professional listings, telephone directories, professional stationery, or billings. If the licensee's name

is utilized in a group practice title, it shall be deleted.

Prescription pads bearing the licensee's name shall be destroyed. A destruction report form shall be obtained from the Office of Drug Control (973-504-6558) and filed with that office. If no other licensee is providing services at the practice location, all medications must be removed and returned to the manufacturer (if possible), or destroyed or safeguarded. In situations where the licensee has been suspended for a period of less than one year, prescription pads and medications must be secured in a locked place for safekeeping.

3. Practice Income Prohibitions/Divestiture of Equity Interest in Professional Service Corporations

A licensee shall not charge, receive or share in any fee for professional services rendered by him/herself or others while barred from engaging in the professional practice. The licensee may be compensated for the reasonable value of services lawfully rendered and disbursements incurred on a patient's behalf prior to the effective date of the Board action.

A licensee whose license is revoked, surrendered or suspended for a term of one (1) year or more shall be deemed to be disqualified from the practice, and shall be required to comply with the requirements to divest him/herself of all financial interest in the professional practice pursuant to Board regulations contained in N.J.A.C. 13:30-8.21. Such divestiture shall occur within 90 days following the entry of the Board Order. Upon divestiture, a licensee shall forward to the Board a copy of documentation forwarded to the New Jersey Department of Treasury, Commercial Reporting Division, demonstrating that the interest has been terminated. If the licensee is the sole shareholder in a professional service corporation, the corporation must be dissolved within 90 days of the licensee's disqualification.

4. Patient Records

If, as a result of the Board's action, a practice is closed or transferred to another location, the licensee shall ensure that during the three (3) month period following the effective date of the disciplinary order, a message will be delivered to patients calling the former office premises, advising where records may be obtained. The message should inform patients of the names and telephone numbers of the licensee (or his/her attorney) assuming custody of the records. The same information shall also be disseminated by means of a notice to be published at least once per month for three (3) months in a newspaper of general circulation in the geographic vicinity in which the practice was conducted. At the end of the three month period, the licensee shall file with the Board the name and telephone number of the contact person who will have access to patient records of former patients. Any change in that individual or his/her telephone number shall be promptly reported to the Board. When a patient or his/her representative requests a copy of his/her patient record or asks that the record be forwarded to another health care provider, the licensee shall promptly provide the record without charge to the patient.

5. Probation/Monitoring Conditions

A disciplined practitioner whose active suspension of license has been stayed in full or in part, conditioned upon compliance with a probation or monitoring program, shall fully cooperate with the Board or its designated representatives, including the Enforcement Bureau of the Division of Consumer Affairs, in ongoing monitoring of the licensee's status and practice. Such monitoring shall be at the expense of the disciplined practitioner.

(a.) Monitoring of practice conditions may include, but is not limited to, inspection of professional premises and equipment, and inspection and copying of patient records (confidentiality of patient identity shall be protected by the Board) to verify compliance with Board Order and accepted standards of practice.

(b.) Monitoring of status conditions for an impaired practitioner may include, but is not limited to, practitioner cooperation in providing releases permitting unrestricted access to records and other information to the extent permitted by law from any treatment facility, other treating practitioner, support group or other individual or facility involved in the education, treatment, monitoring or oversight of the practitioner, or maintained by the rehabilitation program for impaired practitioners. If bodily substance monitoring has been ordered, the practitioner shall fully cooperate by responding to a demand for breath, blood, urine or other sample in a timely manner and by providing the designated sample.

6. Reports of Reimbursement

A disciplined practitioner shall promptly report to the Board his/her compliance with each directive requiring monies to be reimbursed to patients to other parties or third party payors or to any Court.

7. Report of Changes of Address

A disciplined practitioner shall notify the Board office in writing within ten (10) days of change of address.

**NOTICE OF REPORTING PRACTICES OF BOARD
REGARDING DISCIPLINARY ACTIONS**

Pursuant to N.J.S.A. 52:14B-3(3), all orders of the New Jersey State Board of Dentistry are available for public inspection. Should any inquiry be made concerning the status of a licensee, the inquirer will be informed of the existence of the order and a copy will be provided if requested. All evidentiary hearings, proceedings on motions or other applications which are conducted as public hearings and the record thereof, including the transcript and documents marked in evidence, are available for public inspection upon request.

Pursuant to Public Law 101-191, the Health Insurance Portability and Accountability Act, the Board is obligated to report to the Healthcare Integrity and Protection Data Bank any adverse action relating to a dentist:

- (1) Which revokes or suspends (or otherwise restricts) a license; or
- (2) Which censures, reprimands or places on probation, or restricts the right to apply or renew a license; or
- (3) Under which a license is surrendered.

In accordance with an agreement with the American Association of Dental Examiners, a report of all disciplinary orders is provided to that organization on a monthly basis.

Within the month following entry of an order, a summary of the order may appear on the public agenda for the monthly Board meeting and is forwarded to those members of the public requesting a copy. In addition, the same summary will appear in the minutes of that Board meeting, which are also made available to those requesting a copy.

On a periodic basis the Board disseminates to its licensees a newsletter which includes a brief description of all of the orders entered by the Board. In addition, the same description may appear on the Internet Website of the Division of Consumer Affairs.

From time to time, the Press Office of the Division of Consumer Affairs may issue releases including the summaries of the content of public orders.

Nothing herein is intended in any way to limit the Board, the Division or the Attorney General from disclosing any public document.