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

IN THE MATTER OF THE SUSPENSION  
OR REVOCATION OF THE LICENSE OF  
  
**SCOTT M. MELTZER, D.M.D.**  
**License No. 22DI01862000**  
  
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 (the "Board") on or about April 10, 2013, upon receipt of information that Scott M. Meltzer, D.M.D., License No. 22DI01862000 ("Respondent") was arrested and charged with multiple counts of invasion of privacy pursuant to N.J.S.A. 2C:14-9 involving allegations that a surveillance camera was surreptitiously installed in the bathroom of his dental office utilized by patients and staff and that Respondent used or intended to use images from this camera for his own prurient interests.

Respondent, who maintained a dental practice located at 401 Candlewood Commons, Suite 401, Howell Township, New Jersey, 07731, denied the conduct alleged but on May 3, 2013,

entered into an Interim Consent Order which temporarily suspended his license to practice pending resolution of the criminal charges.

On November 17, 2014 Respondent pled guilty to multiple counts of invasion of privacy. On January 30, 2015, Respondent was sentenced to probation for a period of three (3) years. One condition of Respondent's sentence was that he not practice dentistry during the period of his probation.

The Board finding the within disposition adequately protective of the public health, safety and welfare, and other good cause having been shown,

IT IS, therefore, on this 4<sup>th</sup> day of May, 2016,

ORDERED THAT:

1. The license to practice dentistry in the State of New Jersey, issued to Respondent, Scott M. Meltzer, D.M.D., License No. 22DI01862000, is hereby suspended retroactively from May 3, 2013, to and including January 30, 2018 or the date that Respondent is terminated from probation having satisfied all conditions thereof.

2. Prior to any application for reinstatement, Respondent shall:

(a) Provide full and complete details regarding the disposition of criminal charges related to his arrest including but not limited to full compliance with the terms of his criminal sentence and/or probation department requirements. Any extension or reduction in the date of Respondent's probation prior to or beyond January 30, 2018 will automatically reduce or extend the term of the suspension of his license to practice dentistry;

(b) Provide the Board with a report from any and all treating physicians (including, but not limited to any reports prepared by Dr. Silverman) detailing Respondent's current medical and psychological conditions and/or offering an opinion as to whether Respondent's return to the

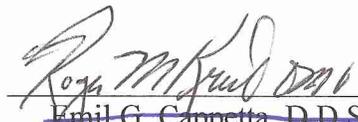
practice of dentistry poses an ongoing risk to the public health, safety and welfare and/or whether Respondent can practice with reasonable skill and safety;

(c) At his own cost and expense, Respondent shall submit to an independent medical and psychiatric/psychological evaluation conducted by Dr. Daniel N. Watter, M.D. and provide copies of this evaluation to the Board; and

(d) Appear before the Board or a committee of the Board to discuss his conduct, his medical and psychological status, and plans for reentry into practice. Respondent shall be permitted to appear before the Board or a committee of the Board six months prior to the end of the suspension period. Respondent agrees that this allowance is merely to afford Respondent and the Board advance time to begin the process to address his reactivation but that reactivation cannot occur prior to January 30, 2018 or the completion date of his probation. Following this appearance the Board will consider if Respondent is safe to return to the practice of dentistry and/or consider what additional measures are necessary to ensure the continued safety of the public.

3. This order shall remain in effect until specifically modified by the Board through the entry of a subsequent order.

NEW JERSEY STATE BOARD OF DENTISTRY

By:   
~~Ernie G. Cappetta, D.D.S.,~~ Roger Kriete, DMD  
Acting - President

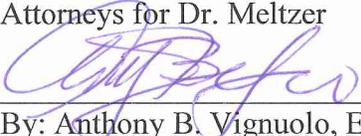
I have read and understand  
the above Order and I agree  
to abide by its terms.

\_\_\_\_\_  
Scott M. Meltzer, D.M.D.

Dated: \_\_\_\_\_

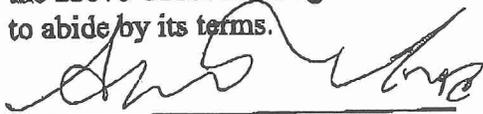
Consented to as to form:

Borris, Goldin, Foley, Vignuolo, Hyman & Stahl  
Attorneys for Dr. Meltzer

  
\_\_\_\_\_  
By: Anthony B. Vignuolo, Esq.

Dated: 3/17/16

I have read and understand  
the above Order and I agree  
to abide by its terms.



Scott M. Meltzer, D.M.D.

Dated: 4/25/16

Consented to as to form:

Borrus, Goldin, Foley, Vignuolo, Hyman & Stahl  
Attorneys for Dr. Meltzer

Dated: \_\_\_\_\_

By: Anthony B. Vignuolo, Esq.

**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.