



CHRIS CHRISTIE
Governor

KIM GUADAGNO
Lt. Governor

New Jersey Office of the Attorney General

Division of Consumer Affairs
State Board of Dentistry

124 Halsey Street, 6th Floor, Newark, NJ 07102

VIA CERTIFIED AND REGULAR MAIL



ROBERT LOUGY
Acting Attorney General

STEVE C. LEE
Acting Director

April 18, 2016

RECEIVED AND FILED
WITH THE
N.J. BOARD OF DENTISTRY
ON 5-16-16 DA

Mailing Address:
P.O. Box 45005
Newark, NJ 07101
(973) 504-6405

David I. Kalter, D.M.D.
490 New Road
Linwood, NJ 08221

Re: Uniform Penalty Letter in Lieu of Formal
Complaint - File #111937

Dear Dr. Kalter,

The New Jersey State Board of Dentistry has reviewed the documentation you submitted during your appearance before it on December 16, 2015, concerning the continuing education coursework you completed for the periods running November 1, 2011 through October 31, 2013, and November 1, 2013 and October 31, 2015. In this documentation, it appears that you are not able to provide proof that you completed all of the continuing education course work that you were required to complete during the 2013-2015 licensing period. Specifically, you completed 7 of the 40 required hours.

By failing to complete the required continuing education credits after submitting a renewal application in which you indicated that you would have completed the continuing education for licensure before October 31, 2015, you engaged in the use or employment of misrepresentation, which is grounds for disciplinary action pursuant to N.J.S.A. 45:1-21(b).

You are hereby offered the opportunity to settle this matter and avoid the initiation of formal disciplinary proceedings by signing the enclosed certification and agreeing to **pay a civil penalty in the amount of \$500.00** within thirty (30) days of receipt of this letter. You must submit **proof of completing the 12 credits of continuing education**, in order to fulfill the deficiency noted above. Proof of completing these credits must be received by the Board office by October 31, 2016. You should be aware that these credits may not be counted towards the credits you are required to complete during the current biennial licensing period.

You may also choose to **submit a written explanation** to the Board and waive your right to a hearing. The Board will then consider the statement you submit and render a final decision, which may include any of the terms set forth above. You should be aware that the disposition of this matter will be a public record.

Finally, if you do not wish to settle this matter, you may **request an administrative hearing**. In this event, this letter will serve as a notice of the charges against you and a hearing will be scheduled before the Board. At that hearing, you may, either personally or with the assistance of an attorney, submit such evidence as you may deem necessary in order for the Board to finally determine whether the unlawful acts set forth herein have been proved.

22DI01867700

Uniform Penalty Letter

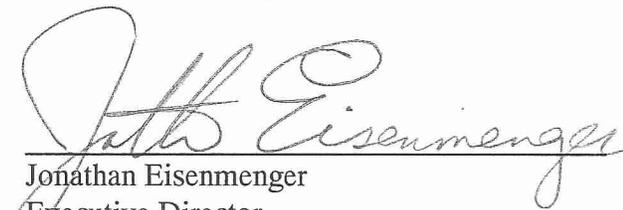
April 18, 2016

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You should also be aware that upon final evaluation of the evidence submitted at the hearing, the Board may, if unlawful acts are found to exist, assess civil penalties in an amount greater than that herein offered in settlement. Additionally, the Board may, if the facts are found to so warrant, enter an order requiring you to reimburse certain monies, directing you to cease and desist from engaging in unlawful acts, requiring you to pay costs incurred by the Board, and/or directing that you cease and desist from continued use of those acts found to be unlawful.

The enclosed certification should be completed and returned to the Board with your indicated course of action within thirty (30) days following your receipt of this letter. In the event that the Board receives no response within thirty (30) days, the Board's settlement offer will be withdrawn, the allegations contained herein shall be deemed admitted, and the Board will proceed to finally review this matter and enter an appropriate final order.

STATE BOARD OF DENTISTRY



Jonathan Eisenmenger
Executive Director

Cc: Meaghan Goulding, DAG

CERTIFICATION

Complaint of The Board vs. Dr. David Kalter

License # 22DI01867700

I have read and reviewed the Board's letter dated 4/18/16 regarding alleged violations of the Board's enabling act and/or Board regulations.

Please Check One:

I, DAVID KALTER DMD, acknowledge the conduct which has been charged and agree to:

Pay the total penalty in the amount of **\$500.00** (to be paid upon the signing of this certification). I will complete 33 credits of continuing education to make up for the deficiency from the 2013-2015 licensing period. I will submit proof of completion of these credits by October 31, 2016. I understand that the credits I submit to make up the deficient credits may not be counted towards the credits required to be completed during the current triennial period.

I waive my right to a public hearing in this matter and **request that the Board consider my written explanation**, which is attached to this certification.

I request a formal administrative hearing to contest the charges specified in the Uniform Penalty Letter. I understand that I will be advised of the time, date and place for that hearing at another time. I am aware that I may be represented by an attorney at the time of the hearing where I may submit to the Board testimony and documentation relevant to the charges. I understand that in making its final decision, the Board may, if unlawful activity is proven, assess civil penalties in an amount greater than that herein offered in its letter and may order such other remedies as it may deem appropriate. I am also aware that this proceeding is a matter of public record.

I am aware that the action taken against me by the Board here is a matter of public record and that the Board's letter and this certification are public documents.



Signature

Dated: 5/12/16

DAVID KALTER

Print Name

MAY 16 2016