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

IN THE MATTER OF THE  
SURRENDER OF THE LICENSE OF

TINA MERRICK LEVITT, D.D.S.  
License # 22DI01665800

TO PRACTICE DENTISTRY  
IN THE STATE OF NEW JERSEY

Administrative Action

CONSENT ORDER OF  
REINSTATEMENT

This matter was opened to the New Jersey State Board of Dentistry ("the Board") upon the request of Tina Merrick Levitt, D.D.S. ("Respondent") to reinstate her license to practice dentistry. Respondent voluntarily surrendered her license by order filed December 23, 2015, following receipt of information that she had engaged in alcohol abuse, which likely impaired her ability to practice dentistry, and failed to undergo recommended treatment. There were no reports of any patient care issues.

In support of Respondent's request for reinstatement of her license, she appeared before the Board on May 4, 2016, with counsel. She was also accompanied

by Dr. Louis Baxter, Sr., M.D., Executive Medical Director of the Professional Assistance Program ("PAP") who supports her request for the reinstatement of her dental license.

At her appearance, Respondent testified as to the treatment she has sought since she voluntarily surrendered her license. Respondent successfully completed a thirty-day inpatient rehabilitation program. Following her discharge from the inpatient program, she has been participating with the PAP and is compliant with its treatment plan, including random urine drug screens and meetings with representatives from the PAP. Respondent also participates in individual and group therapy, attends AA meetings regularly, and meets with her sponsor. Respondent testified that she has maintained sobriety since December 8, 2015.

Respondent also testified that she would like to resume practicing dentistry at her private dental office. Initially, she will handle the administration of her practice while she reintegrates into the actual practice of dentistry. She eventually would like to sell her practice and become an employee at the practice holding a position as a dentist.

According to Dr. Baxter, Respondent has been compliant with her treatment plan. He testified that she is psychologically and physically fit to practice dentistry. He strongly supports Dr. Levitt's return to practice with conditions including absolute abstinence from all psychoactive substances, random twice-weekly urine monitoring, regular attendance at Alcoholics Anonymous meetings, monthly meetings with a PAP representative, and continued participation in group and individual therapy.

Based upon the record and her testimony, the Board has determined that Respondent's return to practice with conditions is appropriate at this time. The terms imposed by this Order are designed to ensure that as she re-enters practice in this State, Respondent's practice is consistent with the public health, safety and welfare. Respondent waiving any right to a hearing in this matter and voluntarily entering into this Order;

IT IS, therefore, on this 18<sup>th</sup> day of May, 2016,  
HEREBY ORDERED AND AGREED THAT:

1. The license of Tina Merrick Levitt, D.D.S., to practice dentistry in this State is reinstated, subject to the terms in this Order. Respondent shall comply with all administrative issues related to the activation of her license, including payment of applicable fees.

2. Respondent shall be limited to working no more than twenty-five (25) hours per week of clinical time. Any increase in clinical work hours must be approved by the Board and the Executive Director of the PAP.

3. Respondent shall remain enrolled in and participate with the PAP, at her own expense, and shall comply with recommendations for treatment, including but not limited to:

(a) monthly face-to-face meetings with representatives from that program for the first year of return to practice, then at a frequency to be determined by the PAP, consistent with her duration in recovery;

(b) regular attendance at Alcoholics Anonymous, at a minimum of three times per week;

(c) random, minimum of twice-weekly urine screens for the first year of return to practice. Thereafter, Respondent shall be screened on a random basis at a frequency to be determined by the Executive Director of the PAP, consistent with her duration of recovery with notification to the Board.

(d) continued treatment by her currently approved therapist, or any successor mental health professional pre-approved by the Board, until such time as the mental health professional, in consultation with the Executive Director of the PAP, agrees that it is no longer required; and

(e) continued participation in peer group therapy, until such time as the peer group therapist, in consultation with the Executive Director of the PAP, agrees that it is no longer required;

4. Respondent shall abstain from the use of alcohol and psychoactive substances, unless prescribed by a treating physician or dentist for a documented medical or dental condition with prior notification to the Executive Medical Director of the PAP of the diagnosis and prescribed medications. In addition, Respondent shall advise any and all treating physicians and/or dentists of her history of alcohol abuse.

5. The PAP shall submit quarterly reports, including urine results, to the Board regarding Respondent's participation and compliance with all requirements of the PAP and this order. If Respondent has a positive urine, misses an appointment without

consent, has a lapse or slip in her recovery, terminates treatment with her therapist, participation in group therapy, or her participation with the PAP, the PAP shall immediately inform the Board. For purposes of this paragraph, "immediately" shall mean reporting the information orally within 24 hours and following up with a written report within 48 hours.

6. (a) Any failure by Respondent to submit or provide a urine sample within twenty-four (24) hours of a request will be deemed to be equivalent to a confirmed positive urine test. In the event Respondent is unable to appear for a scheduled urine test or provide a urine sample due to illness or other impossibility, consent to waive that day's test must be secured from the Professional Assistance Program. Respondent shall notify the Professional Assistance Program if she will be out of the State for any reason, so that the program may make a determination regarding alternate testing.

(b) Any urine test result showing creatinine levels below 20 mg/dL and a specific gravity below 1.003 shall create a rebuttable presumption of a confirmed positive urine test. Any such result shall be followed immediately by a confirming GC/MS test.

(c) Respondent shall familiarize herself with all foods, food additives, or other products (such as poppy seeds) which may affect the validity of urine screens, be presumed to possess that knowledge, and shall refrain from the use of such

substances. Ingestion of such substances shall not be an acceptable reason for a positive urine screen and/or failure to comply with the urine monitoring program.

(d) The PAP may, after notifying the Board, modify the frequency of testing or method of testing during the monitoring period.

7. Respondent shall provide any and all releases to any and all parties who are participating in a monitoring, treatment, or other program as outlined in this order, as may be required in order that all reports, records, and other pertinent information may be provided to the Board in a timely manner. Respondent agrees that any information received by the Board regarding respondent's treatment or participation in a monitoring program may be used in connection with any proceedings pertaining to her license.

8. Respondent shall be subject to an Order of Automatic Suspension of her license upon the Board's receipt of any information which the Board, in its sole discretion, deems reliable demonstrating that Respondent has failed to comply with any of the conditions set forth in this Consent Order, including but not limited to a report of a confirmed positive urine, or a prima facie showing of use of alcohol or drugs.

9. Respondent shall have a right to apply for removal of the automatic suspension on ten (10) days' notice to the Board and Attorney General. The Board may hold a hearing on that application before the full Board or before a committee of the Board. In the event a committee hears the application, its action shall be effectively immediately and subject to ratification of the full Board at its next scheduled

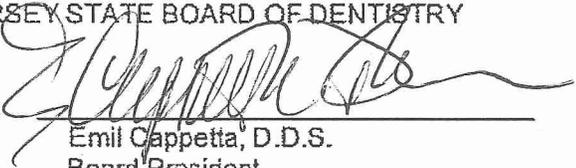
meeting. In a hearing seeking removal of the automatic suspension, any confirmed positive urine shall be presumed valid.

10. Nothing in this Order shall be deemed to preclude the Board from taking any action it deems appropriate should the Board's review of information cause it to determine that such action is warranted or from imposing restrictions or conditions on Respondent's license should the Board determine that such restrictions or conditions are appropriate to protect the public health, safety, and welfare.

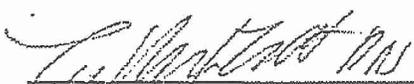
11. Respondent may seek modification of the terms of this Order not sooner than six (6) months from the date of its entry. The Board reserves the right to require Respondent's appearance prior to any modification or removal of conditions set forth in this Consent Order.

NEW JERSEY STATE BOARD OF DENTISTRY

By:

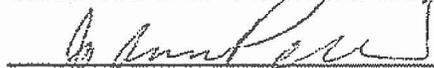
  
Emil Cappetta, D.D.S.  
Board President

I have read and understand the within Consent Order and agree to be bound by its terms. Consent is hereby given to the Board to enter this Order.

  
Tina Merrick Levitt, D.D.S.

May 11, 2016  
Date

Consented to as to form and entry.



Joann Pietro, Esq.  
Attorney for Dr. Merrick Levitt

5-12-16  
Date

I have read the terms of this order and agree on behalf of the Professional Assistance Program to comply with the terms pertaining to the PAP.

\_\_\_\_\_  
Louis E. Baxter, Sr., M.D.  
Executive Medical Director  
Professional Assistance Program

\_\_\_\_\_  
Date

Consented to as to form and entry.

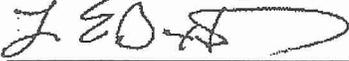
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Joann Pietro, Esq.  
Attorney for Dr. Merrick Levitt

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Date

I have read the terms of this order and agree on behalf of the Professional Assistance Program to comply with the terms pertaining to the PAP.



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Louis E. Baxter, Sr., M.D.  
Executive Medical Director  
Professional Assistance Program

5/12/10

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Date