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

IN THE MATTER OF THE SUSPENSION OR:
REVOCATION OF THE CERTIFICATION OF: Administrative Action
:
SHERRY L. TARANTO, RDH : FINAL ORDER OF DISCIPLINE
LICENSE NO. 22HI00899300 :
:
TO PRACTICE AS A DENTAL HYGIENIST :
IN THE STATE OF NEW JERSEY :

This matter was opened to the New Jersey State Board of Dentistry (the "Board") upon receipt of information concerning Sherry L. Taranto, RDH ("respondent"), which the Board has reviewed and on which the following findings of fact and conclusions of law are made:

FINDINGS OF FACT

1. Sherry L. Taranto, was licensed to practice as a dental hygienist in the State of New Jersey on December 11, 2007, and allowed her license to lapse on February 7, 2012.

2. By way of history, on or about March 23, 2011, the Pennsylvania State Board of Dentistry (Pennsylvania Board) issued an Order Compelling a Mental and Physical Examination of respondent based on a felony DUI charge in Chenango County, NY. However, respondent refused to enter into the Voluntary Recovery Program (VRP) despite being diagnosed by an approved-evaluator

for the Professional Health Monitoring Program (PHMP) as having an impairment.

3. On or about June 6, 2011, the Commonwealth of Pennsylvania (the "Commonwealth"), Department of State before the State Board of Dentistry, filed a Motion to Enter Default and Deem Facts Admitted (MDFA) when respondent did not respond to the MDFA.

4. On or about June 16, 2011, the Pennsylvania Board issued a Memorandum Order finding respondent in default for her failure to submit to the mental and physical examination and notifying her that her license to practice dental hygiene would be indefinitely suspended if she failed to request a hearing within the stipulated time. Respondent again failed to respond.

5. On or about September 20, 2011, the Pennsylvania Board filed an order suspending respondent's license to practice dental hygiene indefinitely retroactive to July 6, 2011 with the opportunity to petition for restoration of her license upon proof that she is fit to practice.

6. To date, respondent's license to practice dental hygiene in Pennsylvania is still suspended.

CONCLUSIONS OF LAW

The above disciplinary action taken by the sister state of Pennsylvania against respondent's license to practice dental hygiene constitutes a basis for disciplinary action against respondent's license in New Jersey pursuant to N.J.S.A. 45:1-

21(g), in that, respondent's license to practice dental hygiene has been suspended by another State for reasons that would give rise to discipline in this State.

DISCUSSION

Based on the foregoing findings and conclusions, a Provisional Order of Discipline ("POD") was filed on July 25, 2011. The Provisional Order was subject to finalization by the Board at 5:00 p.m. on the 30th business day following entry unless respondent requested a modification or dismissal of the stated Findings of Fact or Conclusions of Law by submitting a written request for modification or dismissal setting forth in writing any and all reasons why said findings and conclusions should be modified or dismissed and submitting any and all documents or other written evidence supporting respondent's request for consideration and reasons therefor.

The POD was served upon respondent on July 25, 2011 by regular and certified mail with return receipt requested to respondent's address of record at 26 Coomes Street, Norwich, New York 13815. The regular mail was not returned to the Board office and the certified mail, with return receipt requested # 7011-1570-0001-0331-8046, green card was signed for on August 3, 2012.

On August 17, 2012, the Board office called respondent to inform her that the POD will be placed on the September 5, 2012

agenda and inquired whether she had any intention of submitting a response. Respondent indicated that she is not currently practicing dental hygiene and does not intend to respond to the POD.

Because the regular mailing of the Provisional Order was sent to respondent's address of record and not returned and the certified mail was signed for, the Board deems service to have been effected. Accordingly, it determined that further proceedings were not necessary and that the Provisional Order should be made final.

ACCORDINGLY, IT IS, on this 5th day of September, 2012,
HEREBY ORDERED AND AGREED THAT:

1. Respondent's license #22HI00899300 to practice as a dental hygienist be and hereby is suspended indefinitely until such time that she can demonstrate her fitness, competence, and capacity to reenter the active practice of dental hygiene in New Jersey and until fully reinstated in Pennsylvania with no conditions and restrictions;

2. Respondent shall refrain from engaging in the practice of a dental hygienist and shall not represent herself as a dental hygienist until such time as her license is reinstated. Any practice in this State prior to reinstatement shall constitute grounds for a charge of unlicensed practice.

3. Prior to the Board's consideration of any application

for the reinstatement of her license in this State, respondent shall:

a. Request an appearance before the Board or a committee of the Board to discuss her readiness to reenter the practice of dental hygiene. At that time, respondent shall be prepared to propose her plans for future practice in New Jersey;

b. Provide the Board with evidence that she is capable of discharging the functions of a licensee in a manner consistent with the public's health, safety, and welfare and that she is not then suffering from any impairment or limitation resulting from any physical or psychological condition that could affect her practice;

c. Provide the Board with a full account of her conduct during the intervening period of time from her entry into this order until her appearance pursuant to this order;

d. Present proof that the Pennsylvania Board has reinstated her license to practice dental hygiene;

e. Demonstrate that she has completed the necessary continuing education and all other requirements for reinstatement.

NEW JERSEY STATE BOARD OF DENTISTRY

By: 

Peter L. DeSciscio, D.M.D.
Board President