On June 12, 1987 the Board of Dental Examiners of the State of Arizona reviewed the information presented by the investigative committees and voted to accept the findings of fact as follows:

a. Records presented show satisfactory history and clinical examination

b. No one knows how many x-rays were taken

c. Records do not indicate x-rays were taken

d. Root canal treatment provided two x-ray films only and were satisfactory for root canal therapy

e. Records indicate on 6-19-86, no x-rays were taken however testimony suggested some were taken

f. Radiographic survey inadequate for proper diagnosis of indicated bridgework provided

g. No evidence that Doctor provided patient with information of total cost of treatment

h. No evidence that Doctor actually said he would do work cheaper and raise the price to Insurance

i. There was no pre-estimate made on bridgework indicated

j. Alternative treatment plan was given patient

k. Patient elected to have fixed bridge made

l. Numerous errors in records were apparent and admitted

m. Doctor's intent to defraud was not established

n. Insurance company paid benefits on an unsigned form

o. Method of filling out insurance forms shows numerous errors
p. Patient was charged $25.00 for prophylaxis and Insurance company charged $40.00

q. Insurance company charged for four bite-wing films but records do not show they were taken

and conclusions of law as follows:

The facts as hereinabove stated represent unprofessional conduct as defined in Arizona Revised Statutes §32-1201 (16)(n) which in pertinent part states as follows "any conduct or practice which does or would be a danger to the health, welfare or safety of the patient or public." R4-11-1101, Guidelines for the assessment of clinical quality and professional performance pertaining to Radiology and Crown and Bridge construction, and, as such, represents grounds for disciplinary action under Arizona Revised Statutes §32-1263(1).

and issue the following order:

1. **PROBATION** of twelve (12) months, commencing upon the date of date of the final Board order.

2. **RESTITUTION** to the insurance company within ten (10) days upon receipt of the final board order, a copy of the cancelled check to be sent to the board office.

3. **ADMINISTRATIVE PENALTY** of $200.00 payable by certified check to the Board office within ten (10) days of receipt of the final board order.

In orders concerning restitution a copy of the check sent to the complainant and/or insurance company must be sent to the Board office as verification of compliance with the order.

Failure to comply with any final order of the Board, including an order of censure or probation, is cause for suspension or revocation of a license. (§32-1263.01 B).

Please be advised that according to A.R.S. §32-1263.02 E, the aggrieved party to this matter may petition the Board for a review or rehearing of the matter. If the party wishes to do so, a written petition must be filed with this office no later than ten (10) days after receipt of this letter. If no petition is filed in the allotted time, this preliminary order shall automatically become the final Board order.
Should either party have further evidence that would support reopening this evidence must be presented in writing with the petition, which must be based on the rules for petitioning for review or rehearing included with this letter. Should the Board grant the petition, both parties will be advised of the review or rehearing procedure.

Issued, this 19th day of June, 1987, at Phoenix, Arizona.

THE BOARD OF DENTAL EXAMINERS
OF THE STATE OF ARIZONA

Ronald D. Giordan, D.D.S.
Associate Director
Complaint Investigation Section

Copies of the foregoing mailed
to:
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J.G.G.