

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

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In the matter of:

CHRISTINE NASHED, D.P.M.                      CONSENT ORDER

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This matter was opened before the New Jersey State Board of Medical Examiners (the "Board") upon the Board's receipt of a report from the Medical Practitioner Review Panel (the "Panel") detailing findings and recommendations made by the Panel upon the conclusion of an investigation of respondent Christine Nashed, D.P.M. Specifically, the Panel commenced an investigation upon receipt of an Adverse Action Report dated February 25, 2014 from Trinitas Regional Medical Center ("Trinitas"), which detailed that respondent's privileges at Trinitas were summarily suspended effective October 23, 2013 after Trinitas discovered that she made false statements on her application for hospital privileges regarding her criminal conviction on a charge of Petit Larceny in the State of New York on April 7, 2010. Trinitas submitted a supplemental report to the Panel which detailed that although respondent contested the action and appeared for a hearing before an Ad Hoc Committee of the Hospital's Medical

Staff on January 28, 2014, she thereafter resigned her hospital privileges on February 3, 2014.

During the course of its investigation, the Panel obtained and reviewed available information, to include: a copy of the privilege application which respondent submitted to Trinitas dated March 22, 2012, investigative materials developed during the pendency of Trinitas' investigation, and a copy of a privilege application which respondent submitted to Bayshore Community Hospital ("Bayshore") dated September 25, 2012 (respondent held privileges at Bayshore until she voluntarily resigned from the medical staff on May 15, 2015).<sup>1</sup> Finally, the Panel considered testimony offered by respondent when she appeared before the Panel for an investigative hearing on March 27, 2015, represented by Joseph Potashnik, Esq.

Upon review of available information, the Panel found that respondent pled guilty, on or about April 7, 2010, to a misdemeanor charge of Petit Larceny in the State of New York. Respondent was required to make restitution (jointly along with her sister and mother, who also pled guilty to

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<sup>1</sup> The Panel secured a copy of the privilege application which respondent submitted to Bayshore subsequent to respondent's appearance before the Panel. The Panel also was advised by Bayshore that respondent's resignation occurred at a time when her privileges were in "good standing," suggesting that Bayshore may not have been aware that the information she provided on her privilege application regarding her prior criminal history was false.

misdemeanor and felony charges respectively) to Medicaid in an aggregate amount in excess of \$100,000, and was sentenced to probation for a period of three years. The underlying conduct involved the submission of false claims to Medicaid for home care services which Dr. Nashed had been approved to provide for her grandfather.

Information regarding that criminal action was known to the Board of Medical Examiners in 2010 when respondent applied for a license to practice podiatry in New Jersey. Respondent was required to appear before a Committee of the Board and did so on August 16, 2010, at which time she testified regarding the circumstances of her conviction. The Board thereafter determined that respondent's conviction would not disqualify her from eligibility for licensure, and respondent was issued a license to practice podiatry in New Jersey.

After securing her podiatric license, Respondent applied for hospital privileges at Trinitas and completed an application for clinical privileges dated March 22, 2012. On that application, respondent falsely answered "no" when responding to the following two questions:

Have you ever been investigated by any law enforcement agency concerning your practice of medicine or alleged felonies?

Have you ever been convicted of a crime other than a minor traffic offense?

Respondent subsequently applied for hospital privileges at Bayshore Community Hospital and completed an application for clinical privileges dated September 25, 2012. On that application, respondent falsely answered "no" when responding to the following question:

Have you ever been arrested, charged or convicted of the violation of any law or regulation? (Minor traffic offenses such as parking or speeding violations need not be listed, but motor vehicle offenses such as driving while impaired or intoxicated must be disclosed.)

On both applications, respondent completed certifications attesting to the truth and accuracy of all information submitted on the respective applications. The Panel found that respondent purposefully and knowingly lied when she completed her applications for hospital privileges at both Trinitas and Bayshore. In making the above findings, the Panel expressly rejected respondent's claims, when testifying before the Panel, that her false responses on the Trinitas application were the product of her having completed the application hurriedly and not carefully having read the questions thereon.

The Board has adopted all of the findings and conclusions made by the Panel, and finds that cause for disciplinary sanction against respondent exists pursuant to N.J.S.A. 45:1-21 (b) (engaging in the use or employment of dishonesty, fraud, deception, misrepresentation, false promise or false pretense). The parties desiring to resolve this matter without need for further administrative hearings, and the Board being satisfied that good cause exists for the entry of this Order,

IT IS on this 23 day of October, 2015

ORDERED and AGREED:

1. Respondent Christine Nashed, D.P.M., is hereby formally reprimanded for having falsely responded "no" to questions on two applications for hospital privileges which she submitted to Trinitas Regional Medical Center and Bayshore Community Hospital, which questions sought disclosure of respondent's prior history of having pled guilty to charges of Petit Larceny.

2. Respondent is hereby assessed a civil penalty in the amount of \$15,000, which penalty shall be payable as follows: \$3,000 to be paid at the time of entry of this Order, to be followed by four quarterly payments of \$3,000 which shall be payable in full on or before January 14, 2016, April 14, 2016, July 14, 2016 and October 14, 2016. All

payments required herein shall be made by certified check or money order (or any alternative payment method deemed acceptable to the Board).

3. Respondent shall, within six months of the date of entry of this Order, successfully complete a course acceptable to the Board in ethics. Respondent may satisfy the requirements of this paragraph by attending and successfully completing any medical ethics course that is presently approved by the Board, or, in lieu thereof, by first securing written pre-approval from the Medical Director of the Board for any other course she may propose to attend. In order to obtain such pre-approval, Respondent shall obtain and provide all available information regarding any alternative proposed course to the Medical Director of the Board, who shall determine whether the proposed course is or is not acceptable. Respondent shall be responsible to ensure that documentation of successful completion of the ethics course is forwarded by the course provider(s) to the Board. In the event that documentation of successful completion of the required ethics course is not received by the Board within seven months of the date of entry of this Order (allowing thirty additional days for the course provider to submit proof of course attendance and successful completion), respondent shall be deemed to have failed to comply with the requirements of this Order. In such

event, respondent's license to practice podiatry in New Jersey may then be immediately suspended by the Board without additional notice for failure to comply with the terms of this Order. In the event an Order of immediate suspension for failure to comply with the terms of this Order is entered, Respondent's license shall thereafter continue to be actively suspended until such time as she successfully completes the required course, documentation thereof is submitted to the Board, and written notice of reinstatement is provided by the Board to Respondent.

NEW JERSEY STATE BOARD OF  
MEDICAL EXAMINERS



By:

Stewart A. Berkowitz, M.D.  
Board President

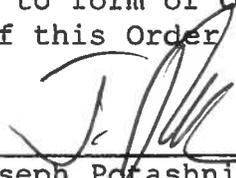
I represent that I have carefully read and considered this Order, understand its terms, agree to comply with said terms and consent to the entry of the Order by the Board.

  
Christine Nashed, D.P.M.

Dated:

9/28/15

Consent to form of Order and to the  
entry of this Order by the Board.



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Joseph Potashnik, Esq.  
Counsel for Dr. Nashed

Dated: 10-2-15

**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 Medical Examiners 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, including the transcript and documents marked in evidence, are available for public inspection, upon request.

Pursuant to 45 CFR Subtitle A 60.8, the Board is obligated to report to the National Practitioners Data Bank any action relating to a physician which is based on reasons relating to professional competence or professional conduct:

- (1) Which revokes or suspends (or otherwise restricts) a license,
- (2) Which censures, reprimands or places on probation,
- (3) Under which a license is surrendered.

Pursuant to 45 CFR Section 61.7, the Board is obligated to report to the Healthcare Integrity and Protection (HIP) Data Bank, any formal or official actions, such as revocation or suspension of a license (and the length of any such suspension), reprimand, censure or probation or any other loss of license or the right to apply for, or renew, a license of the provider, supplier, or practitioner, whether by operation of law, voluntary surrender, non-renewability, or otherwise, or any other negative action or finding by such Federal or State agency that is publicly available information.

Pursuant to N.J.S.A. 45:9-19.13, if the Board refuses to issue, suspends, revokes or otherwise places conditions on a license or permit, it is obligated to notify each licensed health care facility and health maintenance organization with which a licensee is affiliated and every other board licensee in this state with whom he or she is directly associated in private medical practice.

In accordance with an agreement with the Federation of State Medical Boards of the United States, a list of all disciplinary orders are provided to that organization on a monthly basis.

Within the month following entry of an order, a summary of the order will appear on the public agenda for the next 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.

Within the month following entry of an order, a summary of the order will appear in a Monthly Disciplinary Action Listing which is made available to those members of the public 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.

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.