

**FILED**

June 8, 1984

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ATTORNEY GENERAL OF NEW JERSEY

**NEW JERSEY STATE BOARD  
OF MEDICAL EXAMINERS**

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STATE OF NEW JERSEY  
DEPARTMENT OF LAW & PUBLIC SAFETY  
DIVISION OF CONSUMER AFFAIRS  
BOARD OF MEDICAL EXAMINERS  
DOCKET NO.

IN THE MATTER OF AN INQUIRY INTO :	:	
THE ADVERTISING OF	:	Administrative Action
	:	
MORRIS A. TILSON, M.D.	:	
LICENSE NO. 39153	:	FINAL ORDER
	:	
LICENSED TO PRACTICE MEDICINE &	:	
SURGERY IN THE STATE OF NEW	:	
JERSEY	:	
	:	
	:	
	:	

This matter was opened to the New Jersey State Board of Medical Examiners on inquiry into certain advertising activities of Morris A. Tilson, M.D., M.P.H., practicing as Fair Lawn Medical Attention Center, a Professional Association, with offices at 15-01 Broadway, Fair Lawn, New Jersey. Dr. Tilson is represented by Stanley A. Epstein, Esq., Suite 815, Gateway One, Newark, New Jersey 07102. It appears that Dr. Tilson is the sole stockholder of the above-named professional association (FLMAC) and employs some five licensed physicians, four registered nurses and three radiologic

**CERTIFIED TRUE COPY**

technicians. The facility appears to offer substantial services to the public in that it is open seven days a week and apparently has at least one physician and nurse on duty at all times during its hours of 8 A.M. to 10 P.M.

It appears that Dr. Tilson, at least, has attending physician privileges at three nearby hospitals. He has noted that there is no ambulance on the premises and that he has expressly notified First Aid Squads that although FLMAC is equipped to handle "the small general practice types of emergencies, as cuts, scrapes, sudden illnesses, and so on, any serious accidents or conditions requiring ambulatory services be directed to the nearest hospitals." FLMAC does not handle multi-trauma accidents. He further notes that "the office has standard medical equipment which includes an x-ray machine, a CBC, a small incubator for cultures, EKG, monitor."

Nevertheless, the texts displayed in his advertising specifically assert "we combine the benefits of the finest emergency room ...." The office is described as being staffed with skilled "emergency" physicians and nurses and as "equipped to handle the full range of medical problems and emergencies in less time at less cost than a hospital emergency room."

Dr. Tilson's description of the services his facility actually offers are consistent with those which are offered by regular private office multi-physician practices, having extended

hours for the convenience of the public. (We note with approval that he provides an answering service which will receive calls after 10 P.M. and forward them to his home.)

Nevertheless, the text in the advertising is not in accord with Dr. Tilson's description of actual available services. The quoted phrases might be misconstrued as presenting comparability of this office with that of a hospital emergency room, a comparison which poses the potential for life-threatening delay to an unsuspecting major accident victim or a person arriving in the throes of a heart attack.

In light of the above, and considering that this appears to be Dr. Tilson's first critical contact with the Board, he is directed to make immediate arrangements to correct all advertising so as to accurately reflect the level of services actually offered. He shall refrain from using the phrase "emergency medical treatment" unless it is modified as "medical treatment for minor emergencies"; he shall particularly delete any purported comparison with hospital emergency room facilities. Finally, pursuant to the provisions of the Board's current rule regulating advertising, N.J.A.C. 13:35-6.10, on any occasion when he elects to advertise Fair Lawn Medical Attention Center as the sole identification of the facility, he shall include therein the name of at least one responsible physician employed there. In circumstances such as the present, where Dr. Tilson is the sole shareholder, the included physician's name would normally be that of Dr. Tilson.

An affidavit attesting to implementation of the above changes shall be submitted to the Board within two weeks of the entry of this Order. No costs or penalties assessed in light of this disposition of the matter.

STATE BOARD OF MEDICAL EXAMINERS

By Joseph A. Riggs  
Joseph A. Riggs, M.D.  
President Pro Tempore

June 6, 1984  
DATED \_\_\_\_\_

I consent to the terms and entry of the within Order.

Morris A. Tilson  
Morris A. Tilson, M.D.

Morris A. Tilson  
Morris A. Tilson, M.D., on behalf of Fair Lawn Medical Attention Center

Stanley A. Epstein  
Stanley A. Epstein, Esq.  
Attorney for Dr. Tilson

Date 6/6/84