

FILED

OCTOBER 11, 1984

NEW JERSEY STATE BOARD
OF MEDICAL EXAMINERS

STATE OF NEW JERSEY
DEPARTMENT OF LAW & PUBLIC SAFETY
DIVISION OF CONSUMER AFFAIRS
BOARD OF MEDICAL EXAMINERS
DOCKET NO.: H83-

IN THE MATTER OF A COMPLAINT INTO :
THE ADVERTISING PRACTICES OF :
DR. ALLEN R. GRIGGS :
LICENSED TO PRACTICE MEDICINE AND :
SURGERY IN THE STATE OF NEW :
JERSEY :

Administrative Action

FINAL ORDER

This matter was opened to the New Jersey State Board of Medical Examiners by complaint respecting representations by Dr. Griggs to the public that he possesses the medical degree abbreviated as "M.D." Dr. Griggs is presently represented by the law firm of LaBue, Farber, Newman & Holstein, P.A. He practices at 924 Kinderkamack Road, River Edge, New Jersey 07661. It appears that Dr. Griggs is in fact licensed in this State based upon satisfaction of statutory requirements including graduation from the College of Osteopathic Medicine and Surgery, Des Moines, Iowa. Said graduation would permit him to identify himself by abbreviating his academic degree as D.O., and not as M.D.

CERTIFIED TRUE COPY

Dr. Griggs has personally brought to the Board's attention that he has been regularly representing himself to the public as M.D. He has acknowledged this in numerous documents filed in litigation. See, for example, his participation as a plaintiff in Eatough, et al. v. Albano, 673 F. 2d 671 (3 Cir. 1982), cert. den. ___ U.S. ___, 102 S.Ct. 2931, 73 L.Ed. 2d 1331 (1982); Eatough, et al. v. Bd. of Med. Examiners, 191 N.J. Super. 166 (App. Div. 1983).

Dr. Griggs has indicated that he has represented himself to the public as an M.D. based upon his reliance on the advice of a prior attorney during and subsequent to the above referenced litigation. Dr. Griggs is now aware that, notwithstanding the advice of his prior counsel, such appellation may constitute a misrepresentation as determined by the New Jersey State Board of Medical Examiners.

Misrepresentation of an academic degree is deemed misrepresentation to the public and professional misconduct in violation of N.J.S.A. 45:1-21(b) and (e). Such misrepresentation, particularly when engaged in knowingly, warrants sanction by this Board.

The Board has considered and accepted the representation by Dr. Griggs that his conduct was not deliberate and was based upon the advice of his prior counsel. In light of the level of the conduct involved in this case, Dr. Griggs is admonished.

Dr. Griggs has acknowledged that he will refrain from holding himself out to the public as an M.D. unless and until application is made to the Board and the Board is satisfied that it is appropriate for him to do so. Dr. Griggs shall pay costs in the amount of \$840.00 payable within ten days of the date of filing and service of this ORDER to the New Jersey State Board of Medical Examiners. Henceforth, he shall identify himself only by appellation indicating his status as a physician or surgeon licensed in this State. He may indicate a specialty practice, if any. If he presently elects to utilize an abbreviation of academic degree conferred, he may use only a degree actually conferred upon him, by the college of Osteopathic Medicine and Surgery, Des Moines, Iowa, to wit, D.O. If he possesses any documents describing him as an M.D. (including but not limited to specialty board certification, insurance claim forms, prescription pads, etc.), he shall promptly certify to the Board that he has disposed of same and returned such documents to the issuing agency for correction.

THIS ORDER SHALL BE EFFECTIVE UPON ENTRY.

STATE BOARD OF MEDICAL EXAMINERS

By: Edward W. Luka
Edward W. Luka, M.D.
President

DATE:

10/2/84

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

Allen Griggs
Dr. Allen Griggs