

packet is an Instruction Sheet which includes as Paragraph 7 the following pertinent sentences:

"Curriculum Vitae - List all activities, include any periods of unemployment. Begin with entrance to medical school; list location of hospitals in which you completed any clinical training for which you received academic credit from your medical school."

Paragraph 13 is captioned: "Clinical Education - See attached instruction sheet." The instruction page concludes by inviting applicants to present their credentials in person and offering the assistance of the Board staff for evaluation and for answering any questions regarding the application.

The "Clinical Education--Instruction Sheet" referred to in paragraph 13 states in its entirety as follows:

"If you are a graduate of a school established after 1960, and such school was not approved by the LCME or the A.O.A., you are required to submit the following documentation in addition to all other requested information.

1. Official transcript from medical school (if you have attended more than one medical school, forward transcripts from each school attended.)
2. A list of clinical rotations completed at hospitals in the United States while in medical school (Include name of hospital) and address, director of program, and the subject area studied.
3. Copies of official evaluations completed by the supervisor of each rotation.
4. You may be required to appear before the Board to discuss your entire medical education."

The information packet also requires a signed declaration by the applicant that he has carefully read all of the questions and has answered them truthfully, recognizing that untruthful answers will be a tround for denial of licensure.

Both Dr. Copare and Board Licensing Supervisor Katherine B. Carroll on October 3, 1984 in sworn testimony before the Board Credentials Committee, agree that Dr. Copare accepted the encouragement to present the licensure application in person in March 1984 at the Board office.

Ms. Carroll testified that in light of the Board's extensive experience with the usual structure of clinical training programs at Universidad del Noreste, she noted the absence of any list of clinical clerkships in the material submitted by Dr. Copare and specifically inquired of him as to whether he had completed any clerkships in U.S. hospitals. When he said No, and added that he had taken all his clerkship rotations in Mexico, she requested that he so indicate on his curriculum vita. He thereupon added in his own writing "All Clinical Rotations in Mexico F J Copare" in her presence.

Dr. Copare, present at the same Credential's Committee review of this application, acknowledges having carefully read and followed the packet Instruction Sheet and having been asked the clerkship question by Ms. Carroll. He admits having written and signed the aforementioned assertion. However, he denies under oath that he had ever received the Clinical Education sheet and claims that he misunderstood her question when he expressly stated he had taken all clinical rotations in Mexico. Ms. Carroll testified that while preparing to write to Noreste

to seek confirmation of Dr. Copare's sworn statements, the Board office received a telephone call from a physician interested in the progress of Dr. Copare's application, who mentioned that the applicant had completed 2 years of clinical clerkships in Bridgeton Hospital in N.J. This fortuitous information was subsequently confirmed by that hospital. The Board Secretary then wrote to Noreste's New York City office March 30, 1984 reporting Dr. Copare's assertion and requesting a notarized statement concerning Dr. Copare's clinical clerkship situation. The Board then received a letter from Dr. Copare dated April 5, 1984 claiming that "In my application for N.J. licensure I did not realize I was required to list rotations completed in the U.S. as your letter dated March 30 indicates," and proceeded to describe his 3rd and 4th year training at Bridgeton.

The clerkship information was a material part of Dr. Copare's medical education background, in part because N.J.S.A. 18A:68-12 et seq. requires Medical Board approval of medical training programs conducted in this State, and because the Board does not consider acceptable any core clinical clerkships taken in hospitals not approved for teaching purposes; N.J.S.A. 45:9-8. Bridgeton Hospital is not approved for any of the clerkships taken by the applicant.

In the usual course, this would have precluded any immediate granting of plenary licensure to Dr. Copare without

completion of additional postgraduate work in an acceptable institution.

The Board has considered all the circumstances shown here, and has taken into consideration Dr. Copare's unlikely claim that the standard clerkship page was somehow omitted from his application packet. Nevertheless, in light of the undisputed fact that the Licensing Supervisor expressly and directly asked Dr. Copare if he had taken any clinical clerkships in U.S. hospitals, his denial--further set down in his own writing--and his statement that he misunderstood her question is not credible.

We must conclude that Dr. Copare has made a material deception within his licensure application in violation of N.J.A.C. 13:35-3.10, which he did not correct until the facts had already been discovered by the Board office. The extent of this violation of N.J.S.A. 45:1-21(a) requires that he be found ineligible for licensure. Further, as the nature of the violation severely affects the requirement of good moral character imposed by statute in N.J.S.A. 45:9-6, he is not eligible to continue to engage in the practice of medicine under the temporary exemption from licensure otherwise permitted by N.J.S.A. 45:1-21(d). He is therefore directed to immediately cease and desist the practice of medicine and surgery in this State in any form under the jurisdiction of the Board of Medical Examiners. Notice shall be given to Cooper Hospital of this determination.

Dr. Copare shall not be permitted to reapply to this Board for at least five years from March 16, 1984, the date of his attempt to obtain a license through fraud, deception, or misrepresentation.

THIS ORDER SHALL BE EFFECTIVE UPON THE DATE AFTER SERVICE ON DR. COPARE. Service shall be effected by the Enforcement Bureau of the Division, and an affidavit of service shall be filed with the Board.

STATE BOARD OF MEDICAL EXAMINERS

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

DATE October 12, 1984