

FILED
February 4, 1986

NEW JERSEY STATE BOARD
OF MEDICAL EXAMINERS

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

In the Matter of an Inquiry)
Concerning the Utilization of)
Physical Therapy Services by:)

CONSENT ORDER

JOHN S. D'ACONTI, D.O.)

This matter was opened to the New Jersey State Board of Medical Examiners upon the receipt of certain information concerning respondent's treatment of Marie Kalucki from August 24, 1982 through November 21, 1983. The Board, having reviewed respondent's testimony, as well as the patient records, has concluded that Dr. D'Aconti's reliance on and provision of physical therapy for the duration that it was utilized cannot be supported by the information contained in his patient records. A review of Dr. D'Aconti's office records reveals that inadequate records of the therapy were kept.

The Board hereby finds that Dr. D'Aconti's failure to maintain adequate medical records with respect to Ms. Kalucki's care, constitutes a violation of N.J.A.C. 13:35-6.5. Respondent, being desirous of concluding this matter without further litigation, and the Board having concluded that the public interest is adequately protected through the entry of this Order,

IT IS on this 29th day of January, 1986.

ORDERED:

1. Respondent, John S. D'Aconti, D.O., shall pay penalties in the amount of Two Thousand Five Hundred (\$2,500)

CERTIFIED TRUE COPY

Dollars to the Board of Medical Examiners, within thirty (30) days of the entry of this order, by means of a certified check or money order.

2. Respondent shall prepare and maintain appropriate patient records documenting the patient's progress where physical therapy services are offered in his office.

3. When delegating the responsibility of administering physical modalities in his office, respondent shall comply with all of the provisions of N.J.A.C. 13:35-6.14, which sets forth in detail the scope of delegable activities and the continuing responsibility that the delegating physician must bear. A copy of this regulation is attached hereto and made a part hereof.

NEW JERSEY STATE BOARD OF MEDICAL EXAMINERS

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

I consent to the form
and entry of this order:

John S. D'Aconti
John S. D'Aconti, D.O.

Anthony F. Malanga
Anthony F. Malanga, Esq.
Attorney for Dr. D'Aconti