

**FILED**

April 23, 1990

**NEW JERSEY STATE BOARD  
OF MEDICAL EXAMINERS**

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

In the Matter of the Suspension	:	
or Revocation of the License of	:	Administrative Action
	:	
George Muchen, D.P.M.	:	CONSENT ORDER
	:	
To Practice Podiatric Medicine	:	
in the State of New Jersey	:	

This matter was opened before the New Jersey State Board of Medical Examiners (the "Board") upon the Board's receipt of a copy of a highly abusive, offensive and profane letter that Dr. George Muchen, D.P.M. wrote to Linda Caporale, a Medicaid claim reviewer from the Prudential Insurance Company. The Board additionally received information that Dr. Muchen thereafter responded in an abrupt and abusive matter when contacted by telephone about the letter by Dr. James Gardam, the Vice President of Medical Services at Prudential.

Dr. Muchen appeared before an Executive Committee of the Board on April 27, 1988, at which appearance he was represented by Michael Campagna, Esq., and testified concerning the

**CERTIFIED TRUE COPY**

circumstances which occasioned the writing of the letter. Dr. Muchen stated that the incident was an isolated one and that the letter was written in anger after he received a notice that Prudential was denying his claim. Dr. Muchen additionally claimed that he was frustrated because Prudential denied numerous claims and because he received so little reimbursement for Medicaid patients.

Upon review of this matter by the Board, the Board has found that the letter written by Dr. Muchen was completely insulting and unprofessional, even taking into account the explanation offered by Dr. Muchen that the letter was written in anger and predicated upon a misinterpretation of fact. The Board thus finds that the writing of the letter was an act of professional misconduct, which act could constitute grounds for disciplinary sanction pursuant to N.J.S.A. 45:1-21(e). Further, based upon the cumulative weight of the evidence before the Board, including but not limited to the letter itself, the telephone conversation with Dr. Gardam and observations made by the Board concerning Dr. Muchen's seemingly hostile and angry demeanor at the Executive Committee proceeding, the Board harbors concern that Dr. Muchen's actions may be evidential of underlying psychiatric problems, and therefore shall require Dr. Muchen to undergo psychiatric evaluation.

It appearing that the parties are desirous of resolving this matter without the necessity of formal proceedings and that respondent has read and understands the meaning and effect of the within Order, and it further appearing that the Board finds the

within Order is adequately protective of the public health and welfare, and for good cause shown,

IT IS on this 20<sup>th</sup> day of April, 1990, ORDERED:

1. Dr. Muchen shall send a letter of apology to both Linda Caporale and to Dr. Gardam. Copies of the letters of apology shall be forwarded to the Board.

2. Dr. Muchen is hereby assessed a civil penalty in the amount of \$1500.00 for grossly unprofessional conduct and outrageous behavior. Said penalty shall be paid in full to the Board within thirty days of the date on which this order shall be filed.

3. Respondent shall be required to undergo psychiatric examination within six months of the date on which this order is entered. A written report detailing any findings made during said examination shall be prepared and respondent expressly consents and authorizes that said report shall be released to the Board for review. Said examination may be performed by a psychiatrist or psychologist of respondent's choosing, however respondent must obtain the Board's express written approval (which approval shall not be unreasonably withheld) of the selected individual before the examination is conducted. Upon review of the report to be submitted and in the event the Board determines that the report evidences reason therefor, the Board may impose restrictions upon Dr. Muchen's practice based upon material in the report. Any costs incurred in fulfillment of

this requirement shall be solely the obligation of respondent.

NEW JERSEY STATE BOARD OF  
MEDICAL EXAMINERS



Michael B. Grossman, D.O.  
Board President

I have read the within Consent  
Order and agree to be bound  
by its terms. I consent to its  
entry by the New Jersey State  
Board of Medical Examiners.



George Muchen, D.P.M.