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ATTORNEY GENERAL OF NEW JERSEY

FILED

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March 20, 1992

NEW JERSEY STATE BOARD
OF MEDICAL EXAMINERS

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

IN THE MATTER OF THE SUSPENSION :
OR REVOCATION OF THE LICENSE OF:

MICHAEL VINCENT, M.D.

Administrative Action

CONSENT ORDER

TO PRACTICE MEDICINE AND SURGERY
IN THE STATE OF NEW JERSEY :

This matter was opened to the New Jersey State Board of Medical Examiners upon the receipt of information indicating that respondent, Michael Vincent, M.D., had allowed Felix Brizuela, D.O., then unlicensed in New Jersey, to perform medical services at the Plaza West Diagnostic and Treatment Center in Fort Lee, New Jersey, between December, 1990 and March, 1991.

In or about June, 1991, Dr. Brizuela entered into a consent order with the New Jersey State Board of Medical Examiners reprimanding Dr. Brizuela for the unlicensed practice of medicine and ordering Dr. Brizuela to pay a civil penalty in the amount of \$2,500 or, in the alternative, to complete 250 hours of community service. The Board found that Dr. Brizuela had been engaged in the practice of medicine prior to the time of licensure.

CERTIFIED TRUE COPY

On December 18, 1991, respondent, Michael Vincent, M.D., appeared before the Preliminary Evaluation Committee of the New Jersey State Board of Medical Examiners, without counsel, and testified under oath regarding the work of Dr. Brizuela at the Plaza West Diagnostic and Treatment Center. Dr. Vincent testified that he was the medical director and sole owner of the Diagnostic and Treatment Center in December, 1990. He acknowledged that he had hired Dr. Brizuela, a resident, to work at the facility in or about December, 1990. Dr. Brizuela was paid one half of the normal amount for physicians working at this facility. Dr. Vincent testified that for the most part he supervised all work of Dr. Brizuela. He acknowledged, however, that, at times, Dr. Brizuela saw patients without any physician supervision. Dr. Vincent testified that he knew that Dr. Brizuela was not yet licensed but believed that he could be hired by the Plaza West facility as a "clinical extern". Dr. Vincent testified that he was unaware that it was unlawful to hire such an unlicensed physician to work in a setting other than an approved residency program. Upon becoming aware of this prohibition, Dr. Vincent immediately required Dr. Brizuela to stop seeing patients.

Based upon the facts presented, the Board finds that Dr. Vincent employed an unlicensed individual as a physician at the Plaza West Diagnostic and Treatment Center from December, 1990 through March, 1991. The Board accepts Dr. Vincent's representation that he did not deliberately attempt to aid and abet the unlicensed practice of medicine, but, nevertheless, the Board finds that such an individual was permitted to practice medicine. The Board also notes that, apparently, no patient was harmed by this action.

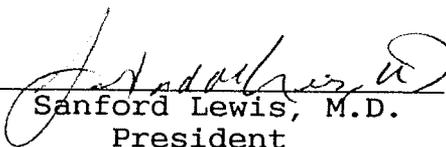
The parties being desirous of resolving this matter, and the Board finding the within consent order to be protective of the public interest;

IT IS ON THIS 28th DAY OF February, 1992

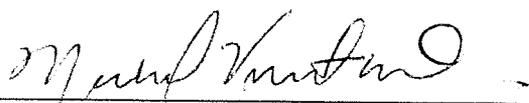
ORDERED that respondent Michael Vincent, M.D., be and is hereby reprimanded for aiding and abetting the unlicensed practice of medicine, and it is further,

ORDERED that Dr. Vincent shall pay a civil penalty of \$2,500; \$1,000 shall be paid within ten (10) days of the date of this order. Thereafter, monthly payments of \$259.37 beginning one month after the date of this order shall be made for a period of six (6) months until such time as the unpaid balance of \$1,500 plus interest of \$56.25, (calculated at the rate of 7.5% per annum, simple interest) for a total of \$1,556.25, has been paid. Any failure on the part of respondent, Michael Vincent, M.D., to comply with this payment schedule, shall be grounds for an application by the Attorney General to the Board for the suspension of his license to practice medicine and surgery.

NEW JERSEY STATE BOARD
OF MEDICAL EXAMINERS

By: 
Sanford Lewis, M.D.
President

I have read and understood the within consent order and agree to be bound by the terms therein. Consent is hereby given for the entry of this order.


MICHAEL VINCENT, M.D.