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FILED

June 24, 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 :
 :
 RICHARD B. MENASHE, D.O. :
 :
 TO PRACTICE MEDICINE AND SURGERY :
 IN THE STATE OF NEW JERSEY :
 :

Administrative Action
CONSENT ORDER

This matter was opened to the State Board of Medical Examiners upon receipt of an investigative report from the Enforcement Bureau of the Division of Consumer Affairs regarding respondent's alleged prescribing of anabolic steroids to patient V.A. for non-medical purposes. Respondent, represented by John Dizzia, Esq., appeared and testified before the Preliminary Evaluation Committee of the Board, and has cooperated with the Board's investigation of these allegations.

According to respondent's testimony, V.A. consulted him with regard to assistance in weight training and physical conditioning. V.A. claimed that he had previously used black market steroids and wanted to obtain some more. Respondent claims to have advised V.A. that steroids

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were not good for his health and that there were potential health risks involved in their use. Nonetheless, when the patient made it clear to respondent that he intended to ingest steroids whether or not they were prescribed by respondent, respondent chose to undertake the administration and dispensing of steroids to V.A. for the purposes of weight and strength enhancement. Respondent testified that he thought it was safer for the patient to provide him with steroids and appropriate monitoring than to refuse his request knowing that he would use black market steroids without any monitoring. Respondent provided steroids to V.A. over two periods, each two months long and approximately one year apart.

Respondent is of the opinion that his treatment of V.A. represented a "compromise position." He is aware that weight and strength enhancement are not approved uses for anabolic steroids in the absence of other medical justifications. He denies that his treatment of V.A. was negligent.

The Board finds that the prescribing of anabolic steroids under the circumstances described herein constitutes a deviation from accepted standards of medical practice and procedure. That deviation is only slightly mitigated by the physician's close monitoring of the patient and respondent's express representation that only one patient was involved. Further, the Board finds that respondent's records for this patient are inadequate.

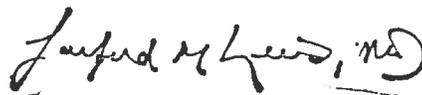
Respondent being desirous of resolving this matter without further formal proceedings and the Board finding the within resolution adequately protective of the public health, safety and welfare, for the reasons expressed herein and other good cause having been shown,

IT IS on this 24th day of June ,1992

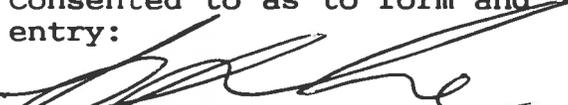
ORDERED:

1. Respondent is hereby reprimanded for the negligent prescribing of anabolic steroids for non-medical purposes including but not limited to body building, weight and strength enhancement and general physical conditioning.
2. Respondent shall cease and desist from the prescribing and/or dispensing of anabolic steroids for non-medical purposes.
3. Respondent is hereby reprimanded for failure to conform his medical records to the requirement of N.J.A.C. 13:35-6.5.
4. Respondent shall pay a civil penalty of \$2,500.
5. Respondent shall pay investigative costs of \$2,000.
6. Respondent agrees to take all steps necessary to assure that medical records maintained by him conform to all applicable Board regulations.

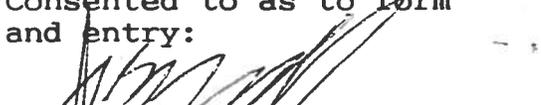
STATE BOARD OF MEDICAL EXAMINERS

By: 
Sanford Lewis, M.D.
Board President

I have read and understood the within Order and agree to be bound by its contents. Consented to as to form and entry:


Richard B. Menashe, D.O.

Consented to as to form and entry:


John Paul Dizza, Esq.