

ROBERT J. DEL TUFO  
ATTORNEY GENERAL OF NEW JERSEY

FILED

By: Nancy Costello Miller  
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September 11, 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  
DOCKET NO.

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

FREDERICK COVILLE, M.D. )

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

Administrative Action

INTERIM ORDER  
OF LIMITATIONS

This matter was opened to the Board of Medical Examiners on the application of Robert J. Del Tufo, Attorney General of New Jersey, Brenda Talbot Lewis, Deputy Attorney General, appearing, seeking temporary suspension of the privileges of respondent to practice medicine and surgery in the State of New Jersey. The Attorney General filed a verified complaint seeking suspension or revocation of respondent's license. Respondent, represented by

Kern, Augustine, Conroy & Schoppmann, denied the allegations of the complaint by answer filed August 5, 1992. The parties appeared

before the Board of Medical Examiners on August 12, 1992, at which time they agreed to the following terms and conditions on respondent's practice.

1. Respondent shall perform no surgery in any location other than in a hospital and in a hospital only under the following conditions:

A. All surgery must be performed with an assistant surgeon who is board certified or board eligible in plastic surgery and who has been approved by the Board of Medical Examiners.

B. The assistant surgeon shall file a separate, independent report of each and every surgical procedure with the Board of Medical Examiners within thirty (30) days of such surgical procedure except that in the event an assistant surgeon determines that respondent has failed to meet the standard of care applicable to plastic surgeons, a report must be submitted to the Board of Medical Examiners within 48 hours of the surgery.

C. If the assistant surgeon would not be present but for this Order, respondent may not charge the cost to the patient or to a third party carrier even if that carrier might be willing to pay.

D. Respondent may work as an emergency room physician and may perform those services which are usual for an emergency room physician, including the suturing of wounds but not including suturing which would usually be performed only by a plastic surgeon.

2. In the event of any post operative complications, including but not limited to fever, excessive scarring, excessive swelling, excessive bleeding, excessive drainage, excessive pain, capsular contraction and shifting of implants, respondent shall refer the patient to the assistant surgeon who attended surgery or to another board eligible or board certified plastic surgeon. Respondent shall treat the patient for complications only if the consultant concurs in such treatment, and documentation of that concurrence shall appear in the patient record.

3. Respondent shall bear the cost of consultations with board certified or board eligible plastic surgeons occasioned solely by this order only to the extent that such costs are not covered by third party reimbursements.

4. Respondent shall not perform resurgery prior to obtaining a second opinion from a board certified or board

eligible plastic surgeon and any such resurgery may only be performed pursuant to paragraph one of this order.

5. Respondent shall not confer with, examine or render treatment to any female patient outside the presence of a female licensed health care professional approved by the Board. The cost of this chaperon shall be borne solely by respondent. Such chaperon shall sign an agreement indicating her awareness of the terms of this order and shall submit to the Board monthly reports verifying her presence at all necessary times. In the event respondent fails to comply with terms of the order, she shall notify the Board of Medical Examiners within 48 hours.

6. Respondent shall within 30 days of the date of the entry of this order submit to both psychiatric and psychological examinations and appropriate testing by a psychiatrist and a psychologist approved by the Board of Medical Examiners. Respondent shall cause the results of the examinations to be submitted to the Board of Medical Examiners within 15 days of the examination, with the understanding that patient/physician privilege shall apply except as to diagnosis and treatment plan.

7. If the psychiatric or psychological examination reports, or any report submitted by an assistant surgeon or the chaperon, are adverse, the Attorney General may move on three (3) days notice to seek interim relief.

8. The Board of Medical Examiners agrees that respondent has the right to petition the Board to modify the terms of the order.

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9. This order shall be effective immediately and is effective pending entry of the final order after plenary hearing.

NEW JERSEY STATE BOARD  
OF MEDICAL EXAMINERS

By:

  
Robert Schmitt, M.D.  
Pres. Tem.

We have read and understand the  
terms and conditions of this  
order and consent to its entry.

  
Joseph Covello, M.D.

KERN, AUGUSTINE, CONROY  
AND SCHOPFMAN, P.A.

By:   
STEVEN KERN, Esq.  
Attorney for Respondent

ROBERT S. DEL TUFO  
ATTORNEY GENERAL OF NEW JERSEY

By:   
Robert S. Del Tufo  
Deputy Attorney General