

Order to Show Cause returnable on July 8, 1992, for purposes of a summary hearing on the imposition of a suspension or temporary restraints pending plenary hearing. The complaint alleged that Frederick Coville, M.D., had had consensual and non-consensual sexual contact with patients and had performed cosmetic surgery in a manner which was grossly deviant from the accepted standard. The Complaint, Order to Show Cause and supporting documents were served upon respondent through service accepted by counsel Steven I. Kern, Esq., and a Consent Order was entered postponing said summary hearing until August 12, 1992. Pursuant to that Order Frederick Coville, M.D., agreed that he would neither examine nor treat any patient and that he would close his office for the practice of medicine effective July 10, 1992.

Dr. Coville's answer to the Complaint was received in the Board office, and in the Office of the Attorney General, on August 5, 1992. Dr. Coville denied or was without sufficient knowledge to answer most of the allegations, and offered five affirmative defenses.

The Complaint was scheduled for summary hearing at the August 12, 1992, meeting of the Board, at which time the summary hearing was cancelled, an Interim Consent Order was agreed upon, and all terms were placed on the record. The signed Order was filed on or about September 8, 1992.

Pursuant to the aforesaid Interim Consent Order, this matter was to be forwarded to the Office of Administrative Law for plenary hearing; Dr. Coville was to perform no breast surgery in his office, with any such surgery to be performed only in a

hospital and only in the presence of and with the assistance of a second physician; breast re-surgery under any circumstances, and at any time following the original surgery, was to be performed only after receipt of a second opinion from a board-certified plastic surgeon agreeing that such re-surgery was necessary; Dr. Coville was to be accompanied by a female chaperon at all times that he was in the presence of a female patient in his office; said chaperon was to be a certified medical professional approved by the Board and serving at Dr. Coville's expense; she was required to sign a statement indicating awareness of the Order and acknowledging that her responsibility was to the Board, to ensure that she was always present when Dr. Coville met with, examined or treated female patients, and that she reported to the Board immediately any failure of Dr. Coville to cooperate with that requirement; Dr. Coville was to undergo psychiatric and psychological evaluations by a psychiatrist and psychologist selected by the Board; the psychiatrist and psychologist were to receive copies of the complaint, the answer, and all supporting documents; the evaluations were to include testing in all areas of mental health; and copies of the evaluations, offering diagnoses and treatment plans where appropriate, were to be forwarded to the Board.

The matter was transferred on September 14, 1992, to the Office of Administrative Law, where it was given the docket number BDS7056-92 and assigned to Solomon A. Metzger, Administrative Law Judge. A telephone pre-hearing conference was held on December 3, 1992, and the matter set down for hearing on

ten days in February 1993. Interrogatories were exchanged in January 1993 and by telephone conference of January 25, 1993, the hearing was adjourned pending efforts to negotiate a settlement.

Dr. Coville being desirous of resolving this matter without the necessity for further legal proceedings, and it appearing to the Board that the within Consent Order is adequately protective of the public interest;

IT IS on this 18th day of May, 1993.

ORDERED that the license of Frederick Coville, M.D., to practice medicine and surgery in the State of New Jersey be and hereby is suspended for a period of four years, and it is further

ORDERED that the first three years of suspension shall be stayed with the following practice restrictions:

(a) Dr. Coville shall not practice cosmetic or reconstructive surgery;

(b) Dr. Coville shall be allowed to practice medicine only pursuant to a bona fide employment relationship approved in writing in advance by the Board. Such employment relationship shall be authorized only where a physician agrees in writing to supervise Dr. Coville, to ensure that Dr. Coville practices no cosmetic or reconstructive surgery, and to submit to the Board written reports of Dr. Coville's continued employment and compliance with the terms of this Order no less often than twice per year;

(c) Dr. Coville shall conduct all physical examinations or medical treatments of female patients in the presence of a chaperon, said chaperon to be a certified medical professional

approved by the Board, serving at Dr. Coville's expense, and required to sign a statement indicating awareness of this Order, acknowledging that her responsibility is to the Board, indicating that she agrees to submit written reports to the Board no less often than twice per year attesting that she was always present when Dr. Coville met with, examined or treated female patients, and indicating that she understands that she is to report to the Board immediately any failure of Dr. Coville to cooperate with this requirement;

(d) Dr. Coville shall be required to attend a series of accredited continuing medical education courses in the areas of infectious diseases and post-surgical complications, each of which shall be approved in advance by the Board and proof of the successful completion of which shall be submitted to the Board;

(e) Dr. Coville shall reimburse the Board for all of the reasonable investigative and administrative costs incurred in this matter; and it is further

ORDERED that during the fourth year of suspension Dr. Coville shall be required to undertake, and allowed to practice medicine only pursuant to and as required by, a post-graduate training course or fellowship program in cosmetic and/or reconstructive surgery approved by the Board, and it is further

ORDERED that failure of Dr. Coville to comply with any part of this Order shall result in the activation of the suspension of his license, and it is further

ORDERED that in the event that Dr. Coville wishes to resume the practice of medicine and surgery in this State

following the period of suspension he shall be required to submit or arrange to have submitted to the Board any and all records of his performance in the residency or fellowship program; to submit to psychological and psychiatric evaluations performed by a psychologist and psychiatrist approved by the Board; to submit or arrange to have submitted to the Board written reports of the aforesaid evaluations; and to appear before a committee of the Board.

BOARD OF MEDICAL EXAMINERS

BY: Sanford M. Lewis, M.D.
 Sanford M. Lewis, M.D.
 President

I have read and understood the within Order and agree to be bound by the terms herein. Consent is hereby given to the Board for entry.

Frederick Coville, M.D.
 Frederick Coville, M.D.

Steven I. Kern, Esq.
 Steven I. Kern, Esq.
 Attorney for Dr. Coville
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