

FILED

ROBERT J. DEL TUFO
ATTORNEY GENERAL OF NEW JERSEY

July 14, 1993

NEW JERSEY STATE BOARD
OF MEDICAL EXAMINERS

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STATE OF NEW JERSEY
DEPARTMENT OF LAW & PUBLIC SAFETY
DIVISION OF CONSUMER AFFAIRS
BOARD OF MEDICAL EXAMINERS
DOCKET NO.

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

ALLAN B. MARTIN, M.D.
License No. 34654

TO PRACTICE MEDICINE & SURGERY
IN THE STATE OF NEW JERSEY

Administrative Action

AMENDED CONSENT ORDER

This matter was brought before the New Jersey State Board of Medical Examiners by way of a complaint filed by Robert

CERTIFIED TRUE COPY

J. Del Tufo, Attorney General of New Jersey, by Brenda Talbot Lewis, Deputy Attorney General, on or about January 3, 1992, alleging that Allan B. Martin, M.D., had deliberately lied in written materials submitted to the Board and to other medical entities and had therefore engaged in the use or employment of dishonesty, fraud, deception, misrepresentation, false promise or false pretense pursuant to N.J.S.A. 45:1-21(b); had engaged in professional misconduct pursuant to N.J.S.A. 45:1-21(e); and had demonstrated a lack of the good moral character which is an ongoing requirement of licensure in this State pursuant to N.J.S.A. 45:9-6.

~~Pending hearing on the complaint, Dr. Martin was~~ working in the emergency rooms of South Jersey Hospital System and Montclair Hospital. On or about August 8, 1992, the Board received notice that Dr. Martin's privileges at South Jersey Hospital System had been summarily suspended because of concern about alcohol abuse by Dr. Martin. As required by the Professional Medical Conduct Reform Act of 1989, N.J.S.A. 45:9-19.4 et seq., an investigation was commenced by the Medical Practitioner Review Panel of the Board and Dr. Martin appeared before the Panel on August 14, 1992. At that time he was accompanied by counsel Thomas M. O'Leary, Esq. and testified under oath. The Panel determined that the complaint for the

revocation or suspension of Dr. Martin's license should be amended to include allegations of the aforesaid abuse of alcohol.

Prior to the filing of an Amended Complaint, a Consent Order was entered in September 1992 and Dr. Martin's license to practice medicine and surgery was suspended. Dr. Martin was ordered to undergo in-patient treatment for alcoholism at a facility recommended by the PHP; to cooperate in all respects with the recommendations of that facility as to follow-up out-patient treatment; to cause that facility to forward to the Board all reports generated during his treatment; to cooperate with the PHP in all matters involved with his treatment and recovery programs, including any testing which PHP found necessary to ensure compliance with its programs; and to cause PHP to forward reports of his progress to this Board every three months. The Consent Order further stated that following such treatment Dr. Martin could apply to the Board for partial or complete reinstatement of his active license to practice medicine and surgery and could appear before a committee of the Board for a review of his personal and professional circumstances at that time.

On April 7, 1993, Dr. Martin appeared before a Preliminary Evaluation Committee of the Board accompanied by David I. Canaven, M.D., of the Physicians Health Program (PHP), to apply for a partial reinstatement of his license. Dr. Martin

requested that the Board allow him to practice as a first surgical assistant. Dr. Canavan stated that Dr. Martin has been compliant with his treatment program and continues to attend Alcoholics Anonymous meetings and an aftercare program, as well as monthly sessions with Dr. Canavan and twice-monthly random urine screening tests, all of which have been negative for alcohol and drugs. Dr. Martin submitted a letter from Stephen Germond, M.D., Director of Emergency Services, House Physicians and Surgical Assistants at Raritan Bay Hospital Systems offering Dr. Martin employment and supervision in the aforesaid position. The letter further noted that the hospital is aware of Dr. Martin's alcohol problems, and stated that Dr. Martin would be supervised by the Chief of Surgery and would work as a salaried employee at both Perth Amboy General and Old Bridge Hospitals.

The Board being satisfied that the terms of the within Amended Consent Order are adequately protective of the public health and welfare, and other good cause existing for the entry of the within Consent Order,

IT IS on this 14th day of July, 1993,

ORDERED that the license heretofore issued to Allan B. Martin, M.D., for the practice of medicine and surgery in the State of New Jersey be and hereby is restored on probationary status as a restricted license pursuant to the following restrictions, and it is further

ORDERED that Dr. Martin may be employed as a surgical assistant under the specific circumstances described in the body of this Order and in the letter from Stephen Germond, M.D., attached hereto and made a part hereof, and it is further

ORDERED that Dr. Martin shall undertake no other medical position or employment without prior written notice to and written approval of the Board, and it is further

ORDERED that Dr. Martin shall authorize and cause the submission to the Board of quarterly reports from the Chief of Surgery and the medical director at Perth Amboy General and Old Bridge Hospitals and by Dr. Canavan of the PHP, and it is further

~~ORDERED that Dr. Martin shall continue to cooperate~~
with the PHP in all matters involved with his treatment and recovery programs, including any testing which PHP finds necessary to ensure compliance with its programs, and it is further

ORDERED that Dr. Martin shall supply his present and any future employers with a copy of this Order, and it is further

ORDERED that Dr. Martin shall authorize and cause said employers and PHP to notify the Board of any negative information within 48 hours of receipt of such information, and it is further

ORDERED that any failure by Dr. Martin to comply with any part of this Consent Order, or any evidence that Dr. Martin has ingested any alcohol or any drugs (except pursuant to a

lawfully authorized medical prescription), shall result in the immediate suspension of his license, and verification of such a failure to comply or of the ingestion of alcohol or drugs may result in the permanent revocation of that license.

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 therein. Consent is hereby given for the Board to enter this Order.

Allan B. Martin, M.D.
Allan B. Martin, M.D.

I have read and understood the within Order and agree to be bound by the terms therein.

David I. Canavan, M.D.
David I. Canavan, M.D.
Physicians Health Program

Chief of Surgery
Chief of Surgery

John R. Miller, M.D.
John R. Miller, M.D.
Medical Director

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