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ATTORNEY GENERAL OF NEW JERSEY

FILED

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July 15, 1994

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 : Administrative Action
:
SALADIN ABDU-NAFI, M.D. : CONSENT ORDER
:
TO PRACTICE MEDICINE AND SURGERY :
IN THE STATE OF NEW JERSEY :

This matter was opened to the State Board of Medical Examiners upon respondent's petition for limited reinstatement of his medical license.

Respondent voluntarily surrendered his license by Consent Order filed August 9, 1990 based upon his abuse of cocaine. He received inpatient treatment for such addiction from May 15 to August 18, 1989. He relapsed shortly thereafter and re-entered inpatient treatment in October 1989 for approximately four weeks. He subsequently relapsed again in April 1990 and again entered an inpatient treatment program for cocaine addiction.

Respondent petitioned the Board by way of a January 13, 1994 letter seeking the opportunity to appear before a committee of the Board seeking limited reinstatement of his license. He appeared before a committee of the Board on April 5, 1994 at which time he was accompanied by Dr. Canavan of the Physicians Health Program of the Medical Society of New Jersey.

CERTIFIED TRUE COPY

It appearing that respondent has admitted to the facts outlined above and that respondent has been drug and alcohol free for over seventeen months, and considering the position statement of the Physician's Health Program and respondent's testimony before the Committee of the Board and for good cause shown,

IT IS, therefore, on this 15th day of JULY , 1994,
ORDERED:

1. Respondent shall be granted a limited license to practice medicine in the State of New Jersey with the following restrictions:

a. Respondent's practice of medicine in the State of New Jersey is limited solely to Eva's Kitchen and the Saint Joseph's Hospital and Medical Center in Paterson's outpatient clinic for the homeless and destitute as a staff physician with close supervision by the Medical Director whose name shall be submitted for Board approval as respondent's supervisor, contemporaneous with the signing of this Order.

b. Respondent shall not seek restoration of his DEA or CDS registrations until further order of the Board.

2. Respondent shall continue to participate in the Physicians Health Program, which participation shall include:

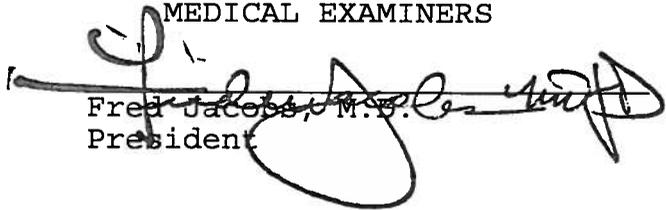
a. urine monitoring twice a week for six months following the date of entry of this Order, followed by random weekly urine monitoring for an additional six months, followed by urine monitoring at the discretion of the Physician's Health Program;

b. documented attendance at regular A.A.

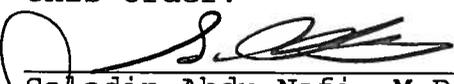
- (N.A.) meetings;
- c. attendance at such other meetings as the Medical Director of the Physicians Health Program may designate;
 - d. total abstinence from mood altering chemicals, alcohol;
 - e. causing submission on his behalf every ninety (90) days by the Physicians Health Program of reports regarding his progress;
 - f. agreement by the Physicians Health Program to immediately notify the Board of any relapse of impairment including but not limited to reports of a positive urine or failure to appear or give a scheduled urine sample;
 - g. ensuring that urine monitoring shall be conducted with direct witnessing of the taking of the samples, and that the initial drug screen will be done by a laboratory utilizing a technique acceptable for evidential purposes and which confirms all positive urines by gas chromatography/mass spectrometry (GC/MS). Respondent shall also ensure that the testing procedure shall include a forensic chain of custody protocol to ensure sample integrity and to provide documentation to withstand a legal challenge. Any failure on respondent's part to ensure a forensic chain of custody protocol shall be deemed a waiver of his right to subsequently challenge the chain of custody and sample integrity. Respondent shall also ensure that the laboratory retains positive urines for six months after testing;
 - h. agreement by respondent by his signature on this order to waive any claim to confidentiality of any information regarding respondent's impairment obtained by the Physicians Health Program and allows disclosure to the Board of Medical Examiners, and allows the Board of Medical Examiners to utilize such information in connection with any licensure or disciplinary proceeding.

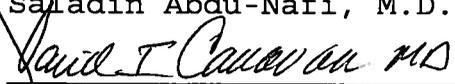
- i. regular psychiatric or psychological counseling as directed by a psychologist or psychiatrist whose name has been provided to the Board.
3. Respondent hereby consents to the entry of an Order of automatic suspension of license without notice, upon the Board's receipt of any information which the Board in its sole discretion deems reliable that respondent has failed to comply with any of the conditions or any report of a confirmed positive urine, or a prima facie showing of a relapse or recurrence of alcohol or drug abuse.
5. Respondent shall have the right to apply for removal of the automatic suspension on two (2) days notice but in such event any proofs shall be limited to a showing that the urine tested was not his or was a false positive in the case of urine testing, except as provided in paragraph three above or that other information submitted was false.
6. Respondent shall comply with all parts of the Board directives applicable to disciplined licensees attached hereto.

NEW JERSEY STATE BOARD OF
MEDICAL EXAMINERS


Fred Jacobs, M.D.
President

I have read and understand the within Order and agree to be bound by its terms. Consent is hereby given to the Board to enter this Order.


Saladin Abdu-Nafi, M.D.


Dr. David I. Canavan
Physicians Health Program