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FILED

November 9, 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:	:	Administrative Action
	:	
	:	
HOWARD LEIBOWITZ, M.D.	:	CONSENT ORDER OF
License #43429	:	LIMITED LICENSURE
LICENSED TO PRACTICE MEDICINE AND	:	
SURGERY IN THE STATE OF	:	
NEW JERSEY	:	
	:	

This matter was opened to the New Jersey State Board of Medical Examiners on the request of Howard Liebowitz, M.D. to reinstate his license in the State of New Jersey which had been surrendered via a prior Order of the Board filed March 31, 1994 by consent. The surrender of license was based on receipt of information which alleged that respondent was hospitalized at Fair Oaks Hospital following allegations that he made threats against his ex-wife's life, was mentally ill and dangerous to himself or others. The March 1994 Consent Order provided for the voluntary surrender of Dr. Liebowitz's license until such time as he could demonstrate his competence, fitness and ability to practice medicine and surgery, and produce a letter supporting his

CERTIFIED TRUE COPY

reinstatement from the Physician's Health Program (PHP). Dr. Liebowitz appeared before a Committee of the Board of Medical Examiners on September 14, 1994. He demonstrated substantial rehabilitative progress and efforts including participation in in-patient treatment at Fair Oaks, out-patient treatment with Dr. Robert Botonelli and evaluation by Drs. Yitzhak Shnaps, and Robert Glass. All treating and evaluating professionals have recommended a return to medical practice on condition that Dr. Liebowitz continue in treatment. For these reasons and for other good cause shown, Dr. Liebowitz's license to practice medicine and surgery shall be reinstated with the conditions indicated herein.

IT IS THEREFORE ON THIS ^{7th} DAY OF *November* 1994,
ORDERED:

1. That the license of Howard Liebowitz, M.D. to practice medicine and surgery in the State of New Jersey shall be reinstated immediately on the following conditions:

a. That the practice of Dr. Liebowitz in New Jersey shall be restricted either to a solo private practice under the restrictions outlined in paragraph 1b. below or to an institutional setting, a group practice or a setting under supervision approved by the Board.

b. If Dr. Liebowitz engages in private solo medical practice, he shall only do so under a program of monitored supervision approved in advance by the Board, and which shall include at a minimum, monitoring of his practice (by a consulting physician) once every 2 weeks on his office premises,

including review of patient records and in-person review of cases with Dr. Liebowitz. Such monitoring or supervised practice shall continue until further order of the Board.

c. Dr. Liebowitz shall be evaluated by and participate in the Physicians Health Program as may be determined necessary by that program. Such participation shall continue until further order of the Board.

d. Dr. Liebowitz shall participate in individual psychotherapy with a mental health professional approved in advance by the Board. Such participation shall include at a minimum monthly visits, and additional treatment as recommended by the mental health professional.

e. Dr. Liebowitz shall be responsible to ensure that each of the following receive a copy of this order and agree to submit a status and progress report to the Board at the conclusion of every 3 months of practice by Dr. Liebowitz in New Jersey. The first such reports are due 30 days after the filing date of this Order. The individuals/organizations to receive this Order and submit reports are: all employers, the Physician's Health Program, the chairman of each hospital department in which he participates, the monitor of his individual practice if applicable, and his treating psychotherapist.

f. The Physician's Health Program, Dr. Liebowitz's monitor and/or supervisor, and his treating psychotherapist shall agree via a signature on this Order that each shall notify the Board of Medical Examiners within 24 hours of receipt of

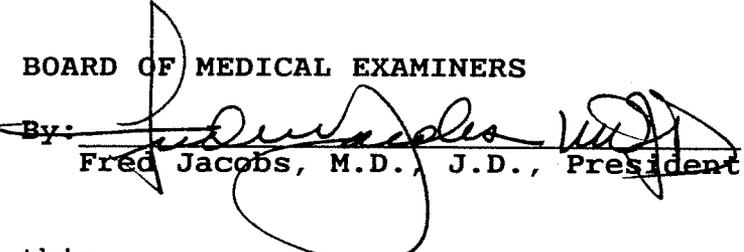
evidence of any relapse by Dr. Liebowitz including but not limited to reports of erratic behavior, threatening behavior, unilateral discontinuance by Dr. Liebowitz of any aspect of his treatment program, supervision or monitoring.

g. Dr. Liebowitz may apply for modification of the terms of this Order no earlier than one year from the date of filing.

h. Upon receipt of any reliable information by the Board indicating violation of any of the conditions of reinstatement or a relapse or any unilateral discontinuance by Dr.

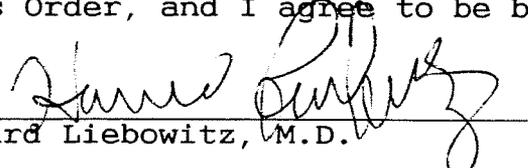
Liebowitz of any aspect of his treatment program, his license shall be automatically suspended without further hearing or proceeding. In that event, Dr. Liebowitz may petition for a hearing regarding reinstatement of his license on not less than five days notice to the Board.

BOARD OF MEDICAL EXAMINERS

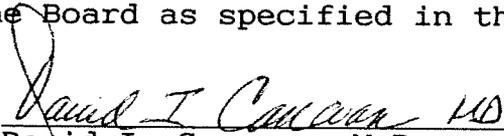
By: 

Fred Jacobs, M.D., J.D., President

I have read the terms of this Order. I understand the terms of this Order, and I agree to be bound by them.


Howard Liebowitz, M.D.

On Behalf of the Physician's Health Program I agree to provide the reports and notification to the Board as specified in this Order.



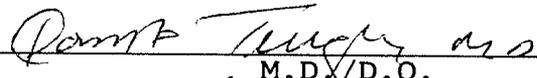
David I. Canavan, M.D.

As Dr. Liebowitz's treating psychotherapist, I agree to provide the reports and notification to the Board as specified in this Order.



Dr. Robert ~~Botanelli~~, Ph.D.
BOTTINELLI

As Dr. Liebowitz's monitor/supervisor, I agree to provide the reports and notification to the Board as specified in this Order.



, M.D./D.O.
Supervisor/Monitor