

toward the 36 month requirement during which Dr. Fogari actually participates in the fellowship." After completing four months of that fellowship, Dr. Fogari petitioned the Board to consider the entire three-year residency requirement to be satisfied by a single year at Hahnemann, and further, that his license to practice medicine be fully reinstated. That request was denied.

In March 1995, Dr. Fogari petitioned the Board to consider the entire three-year residency requirement to be satisfied by the (now completed) two-year residency at Hahnemann, and further, that his license to practice medicine be fully reinstated, subject to whatever restrictions the Board deemed necessary. In support of this application he submitted letters documenting the successful completion of the residency, and praising his performance. On June 28, Dr. Fogari appeared before a Preliminary Evaluation Committee to present additional testimony material to his application.

During this appearance, Dr. Fogari recounted his experience in prison, in performing his community service for St. Elizabeth's Child Care Center and performing his residency at Hahnemann. He stated that the residency involved six clinics per week, case presentations, conferences, and teaching of students and other residents. During the course of the residency, he achieved ACLS certification. Previously, he had taken for credit and passed the UMDNJ course in medical ethics.

Dr. Fogari stated that he had become aware through his conviction and the ethics course not to take ethical responsibilities lightly nor to deviate from regulations governing medical practice no matter how much good he thought he was doing. He expressed regret about the patients he had left without medical attention due to his revocation and prison sentence.

Dr. Fogari's set out his proposal for reinstatement as a return to solo practice, under the supervision of Drs. Rafael Ramos and Leo Zapiach, board certified internists and gastroenterologists at Christ Hospital in Jersey City, where Dr. Fogari would apply for privileges. They would review Dr. Fogari's office charts and random hospital admissions each week, and report to the Board monthly.

Dr. Fogari proposed to a more limited number of patients than he had seen prior to the revocation and indicated that he intended to work from 7 am to 5 pm daily, plus two evening hours once a week. He stated that he wanted to help patients, earn a living and regain his self-esteem by practicing medicine.

Having found that good cause thus exists for the entry of this Order, it is therefore on this 26th day of Jan, 1995, ORDERED:

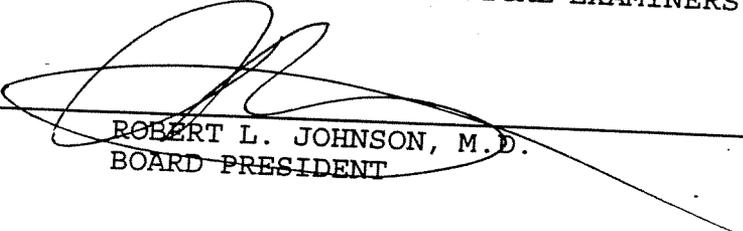
1. The license of Robert A. Fogari, ^{M.D.} D.O., is hereby reinstated subject to the following limitations and conditions set forth herein.
2. Respondent shall limit his hours of practice to forty (40) hours per week including both in-patient and out-patient services and shall further limit his practice to no more than one hundred (100) patient visits per week.
3. Respondent shall submit a random selection of twenty (20) patient charts including both hospital and ambulatory patients for a review of the quality of the care provided to ~~a review by~~ Drs. Ramos or Zapiach or such other physician supervisor approved by the Board.
4. Respondent shall assure that the physician supervisor shall submit a monthly report to the Board, which reports shall also indicate the number of patients seen during each week of the month.
5. Respondent shall continue to perform community service for at

least one (1) year from the date of the entry of this Order in the amount of two hundred (200) hours in an assignment approved by the Board.

6. Respondent shall appear before the Board or a committee thereof upon request by the Board or within one (1) year of the entry of this Order. Respondent may seek leave to modify the terms of this Order no sooner than one (1) year from the date of the entry of this Order.

NEW JERSEY STATE BOARD OF MEDICAL EXAMINERS

By:



ROBERT L. JOHNSON, M.D.
BOARD PRESIDENT