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FILED WITH THE BOARD OF  
PSYCHOLOGICAL EXAMINERS  
ON July 9, 1997

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

In the Matter of )  
 ) Administrative Action  
 BARRY KARDOS, Ph.D. )  
 ) CONSENT ORDER  
 Licensed to Practice Psychology )  
 In the State of New Jersey )  
 \_\_\_\_\_ )

This matter was opened to the New Jersey State Board of Psychological Examiners ("Board") upon receipt of a complaint from patient J.M.P. alleging that in or about the period May 1994 through March 1995, respondent Barry Kardos, Ph.D. submitted claims to an insurance company on behalf of J.M.P. for dates of service which were not consistent with the actual dates of service and for dates when no services were actually provided. The Board reviewed the entire record in this matter including information provided by the complainant, records provided by Dr. Kardos, and insurance forms.

On February 10, 1997, Dr. Kardos appeared before a Board committee for an investigative inquiry with his counsel Michael J. Schoppmann, Esq. Dr. Kardos acknowledged that all of the dates of

service that he submitted to the complainant's insurance carrier were incorrect in that the dates provided on the insurance forms were the dates when he wrote a progress note for the visit rather than the actual date of the service. Accordingly, there was little or no correspondence between the dates submitted to the insurance carrier for reimbursement and the patient progress note dates which may have been written on the same day or as much as a week later. Respondent denied the submission of any claims for dates when no psychological services were rendered. However, respondent was unable to account for five dates of alleged service for which he had no notes in his appointment books. Further, respondent provided testimony at the investigative inquiry concerning the date and type of intelligence testing administered that was inconsistent with the actual test data and respondent's progress notes.

It appears to the Board that the conduct of the respondent constitutes repeated acts of negligence in violation of N.J.S.A. 45:1-21(d) and violations of or failure to comply with the provisions of N.J.A.C. 13:42-8.1 concerning client records, a regulation administered by the Board within the meaning of N.J.S.A. 45:1-21(h).

It appears that respondent desires to resolve this matter without resort to formal proceedings and that good cause exists for the entry hereof.

THEREFORE, IT IS ON THIS 7th DAY OF July, 1997,  
HEREBY ORDERED AND AGREED THAT:

1. Respondent shall make restitution to the patient's insurance carrier for 15 visits at a fee of \$80.00 per visit for a total in the amount of \$1,200.00. Respondent shall make such restitution by submitting a certified check or money order made payable to National Benefits Corporation in the amount of \$1,200.00 to the Board at 124 Halsey Street, Sixth Floor, Newark, New Jersey 07102, no later than the first day of the month following the entry date of this Order.

2. Respondent shall be assessed a civil penalty in the amount of \$7,500.00. Payment shall be made by certified check or money order made payable to the State of New Jersey in the amount of \$7,500.00 and submitted to the Board no later than the first day of the month following the entry date of this Order.

3. Respondent shall pay the costs to the State incurred in this matter in the amount of \$175.00 representing the fee for the stenographer at the investigative inquiry.

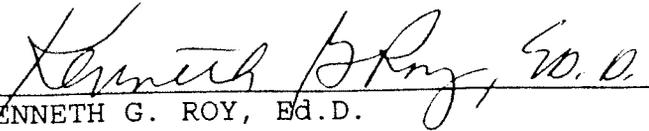
4. Respondent may elect to pay monies due pursuant to this Order on an installment basis as follows:

August 1, 1997 . . . . \$1,200.00 (payable to National Benefits Corporation)

September 1, 1997 and the first day of each month through February 1, 1998 . . . . \$1,280.00 (payable to the State of New Jersey)

Any failure to make a monthly payment by the fifth business day of a month shall cause the entire remaining balance to become immediately due and payable.

5. Respondent is hereby reprimanded and cautioned that he is responsible for the accuracy of insurance claim forms and that more serious penalties will be imposed in the event subsequent complaints of a similar nature are filed against him.

  
KENNETH G. ROY, Ed.D.  
CHAIR  
STATE BOARD OF PSYCHOLOGICAL EXAMINERS

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.

  
BARRY KARDOS, Ph.D.