

FILED

PETER VERNIERO
ATTORNEY GENERAL OF NEW JERSEY

September 23, 1998

NEW JERSEY STATE BOARD
OF MEDICAL EXAMINERS

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STATE OF NEW JERSEY
DEPARTMENT OF LAW & PUBLIC SAFETY
DIVISION OF CONSUMER AFFAIRS
STATE BOARD OF MEDICAL EXAMINERS

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|-----------------------------------|---|--------------------------|
| IN THE MATTER OF THE SUSPENSION : | : | |
| OR REVOCATION OF THE LICENSE OF:: | : | |
| | : | Administrative Action |
| SALADIN ABDU-NAFI, M.D. | : | |
| | : | CONSENT ORDER OF LIMITED |
| TO PRACTICE MEDICINE AND SURGERY: | : | REINSTATEMENT OF LICENSE |
| IN THE STATE OF NEW JERSEY : | : | |
| | : | |

This matter was opened to the New Jersey 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 October 28, 1994 based upon his relapse into the abuse of cocaine. He received inpatient treatment for such addiction from May 15 to August 18, 1989. He relapsed shortly thereafter and reentered 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. Following demonstration of substantial rehabilitation, his license was reinstated in July 1994. In September 1994, the Board received information from the Physician's Health Program that Dr. Abdu-Nafi had once again relapsed into the abuse of cocaine. His license was

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then suspended pursuant to a provision of the July 1994 Consent Order, following which the October 1994 voluntary surrender was entered by consent.

Respondent petitioned the Board by way of a January 7, 1998 appearance before a Committee of the Board, by which he sought limited reinstatement of his license. He was accompanied by Dr. Canavan of the Physicians Health Program of the Medical Society of New Jersey.

It appearing that respondent has admitted to the facts outlined above and that respondent has been involved in rehabilitation efforts and has been drug and alcohol free for over thirty (30) months, and considering the position statement of the Physicians Health Program and respondent's testimony before the Committee of the Board, and for other good cause shown;

IT IS, THEREFORE ON THIS ^{14th} DAY OF ~~JANUARY~~ ^{September}, 1998,

ORDERED:

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

a. Respondent's practice of medicine in the State of New Jersey is limited solely to a position as a staff physician at the Correction Health Facilities in New Jersey under the supervision and daily monitoring by Dr. Larry Pettis.

b. Respondent shall not hold C.D.S. privileges and shall not seek restoration of his DEA or CDS registrations.

c. Respondent shall continue to participate in the Physician's Health Program, which participation shall include:

1. Random weekly urine monitoring for one year, followed by urine monitoring at the discretion of the Physician's Health Program;
2. Documented attendance at regular A.A. (N.A.) meetings a minimum of 3 times per week;
3. Attendance at such other meetings as the Medical Director of the Physician's Health Program may designate;
4. Total abstinence from mood altering chemicals and alcohol;
5. Causing submission to the Board on his behalf every ninety (90) days by the Physicians Health Program and his supervisor at the correctional facilities, of reports regarding his progress;
6. Agreement by the Physicians Health Program and his supervisor at the ~~Essex County Jail~~ ^(B3) to notify the Board orally and in writing immediately (within 24 hours) after receipt of any evidence of relapse or impairment including but not limited to reports of a positive urine or failure to appear or give a scheduled urine sample;
7. 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 urine 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;
8. Agreement of respondent by his signature on this order to waive any claim to confidentiality of any information regarding respondent's use of drugs or alcohol or his

impairment, obtained by the Physicians Health Program, and to allow disclosure to the Board of Medical Examiners, which may utilize such information in connection with any licensure or disciplinary proceeding.

9. Regular face to face visits with representatives of the Physicians Health Program a minimum of once per month.

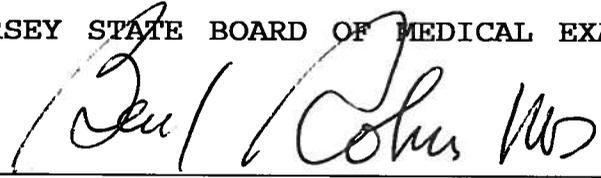
10. Regular monthly phone contact with the Medical Director of the Board regarding his progress.

2. 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 of this Order, or any report of a confirmed positive urine, or a prima facie showing of a relapse or recurrence of alcohol or drug abuse.

3. 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 restricted by paragraph 1(c)7 above) or that other information submitted was false.

NEW JERSEY STATE BOARD OF MEDICAL EXAMINERS

By: _____


Bernard Robins, M.D., F.A.C.P., President

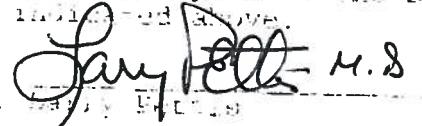
I have read and understand the
within Order and agree to be
bound by its terms. Consent is
herely given to the Board to enter
this order.


S. O. Kelly, M.D.

I agree on behalf of the Physicians
Health Program to comply with this
Order as to the Physicians Health
Program


David I. Caravan, M.D.

I agree to report to the Board
as indicated above.


Dr. Jay Peltz