FILED

October 16, 1998
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:	*	
	*	
	*	CONSENT ORDER
CHOWDHURY M. FARUQUE AZAM, M.D.	*	
	*	
	*	

This matter was opened before the New Jersey State Board of Medical Examiners (the "Board") upon the Board's receipt of information revealing that respondent Chowdhury M. Faruque Azam, M.D., had misrepresented information to the Board when making application for licensure as a physician in the State of New Jersey in 1995. Specifically, it appears that respondent was convicted, on or about June 16, 1992, upon entering a plea of guilty, in the State of New York, of engaging in the unauthorized practice of medicine, an unclassified misdemeanor. Respondent was then sentenced to pay a $10,000 confession of judgment and a surcharge of $102.00. Notwithstanding the above, respondent represented to the Board on his licensure application that he had never been charged, indicted or convicted (by guilty plea or otherwise) of the commission of any crime or offense.

Respondent appeared before a Preliminary Evaluation Committee of the Board on June 24, 1998, represented by Michael Davis, Esq., and then testified concerning the criminal action taken in New York and his "mindset" when completing the licensure application in New Jersey. Respondent claimed that he did not report the conviction because his understanding was that the charges had been conditionally discharged, and that a conditional discharge was not the equivalent of a conviction. Respondent testified that, in addition to the conviction in 1992 for the

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unauthorized practice of medicine, he had been jailed in the State of New York for 21 days, in or about 1988, on civil contempt charges.

Respondent presently concedes that the information he provided on his application for medical licensure (concerning his conviction in the State of New York) in the State of New Jersey was in error and mistaken. The Board finds that, by providing false responses on his licensure application, respondent obtained his license through fraud, deception or misrepresentation, and that grounds for disciplinary sanction, to include the suspension or revocation of respondent's license, exist pursuant to N.J.S.A. 45:1-21 (a).

It presently appearing that the parties desire to resolve this matter without the need for formal disciplinary proceedings, and it further appearing that respondent acknowledges the aforesaid and that respondent agrees to the imposition of the disciplinary sanctions imposed herein, and the Board finding that this Order adequately protects the public health, safety and welfare, and that good cause exists for the entry of this Order,

IT IS on this 11 day of Oct, 1998

ORDERED AND AGREED:

1. The license of respondent Chowdhury M. Faruque Azam to practice medicine and surgery in the State of New Jersey is hereby suspended for a period of two years, based upon respondent's having provided false information concerning his prior conviction on his application for licensure in the State of New Jersey. The suspension shall commence on January 1, 1999. The first three months of said suspension (from January 1, 1999 through March 31, 1999) are to be served as a period of active suspension, during which time respondent shall refrain from engaging in any medical practice, in New Jersey or elsewhere. The remaining twenty-one months of the suspension (from April

1, 1999 through December 31, 2000) shall be stayed, and served as a period of probation, provided that respondent complies with all terms of this Order.

2. Respondent is hereby assessed a civil penalty in the amount of $5,000, which penalty shall be payable either in full upon signing of this Order, or in twenty-four equal monthly installments of $220.48 (to include interest assessed at a rate of 5.5%), to be paid commencing January 1, 1999 and monthly thereafter on the first of each month (with the final payment being made on December 1, 2000).

3. Respondent is hereby ordered to perform 150 hours of community service, in a manner acceptable to the Board, to be completed within two years of the date of entry of this Order. Respondent shall, prior to commencing said community service, submit a written plan to the Board detailing the manner in which he proposes to satisfy the community service obligations imposed within this paragraph, and shall secure written approval from the Board for any proposed plan.

4. Respondent is hereby ordered to successfully complete, at his own expense, the "PROBE" course in ethics, within one year of the date of signing of this Order.

5. Respondent shall be required, prior to resuming any active practice of medicine in the State of New Jersey, to demonstrate to the satisfaction of the Board that he has made arrangements acceptable to the State of New York to satisfy the financial penalties imposed upon him by the State of New York (specifically, to pay a $10,000 confession of judgment and a surcharge of $102) following his conviction in 1992 of the unauthorized practice of medicine.

6. In the event that respondent satisfies all conditions herein, to include refraining from any medical practice in any jurisdiction for a period of three months, and is then allowed to resume

probationary practice of medicine in the State of New Jersey, he shall continue to comply with all other conditions of this Order. In the event that respondent fails, during the period of probation, to comply with any terms of this Order, the entire twenty-one months of the suspension which is being stayed herein shall be activated. In such event, respondent will then be required to serve twenty-one additional months of active licensure suspension, and will further be required to demonstrate, as a precondition for licensure restoration, that he has then satisfied all terms and conditions of the within Order.

NEW JERSEY STATE BOARD
OF MEDICAL EXAMINERS

By: _____
Bernard Robins, M.D.
Board President

I acknowledge that I have read the within consent order, and agree to be bound by its terms. I hereby consent to entry of the within Order by the Board.

_____
Chowdhury M. Faruque Azam, M.D.

Dated: 9. 28. 98

Consent given to the form of this Order.

_____
Michael Davis, Esq.

Dated: 9-29-98