

PETER VERNIERO
ATTORNEY GENERAL OF NEW JERSEY

FILED

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March 17, 1999
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 THE SURRENDER
OF THE LICENSE OF:

RICHARD L. GORDON, D.O.
License No. 23159

TO PRACTICE MEDICINE AND SURGERY
IN THE STATE OF NEW JERSEY

Administrative Action

CONSENT ORDER

This matter was opened to the State Board of Medical Examiners ("the Board") upon information that Richard L. Gordon, D.O. ("Respondent") employed an individual who received excessive prescriptions in her name and that of her husband, such prescriptions having been written by Respondent. It was alleged that Respondent's conduct in connection with these prescriptions violated both N.J.S.A. 45:1-13 and N.J.A.C. 13:35-6.6. It was also alleged that Respondent failed to maintain patient records for these individuals, or, alternatively, that Respondent failed to maintain patient records for these individuals which met the requirements of N.J.A.C. 13:35-6.5.

On September 24, 1997, Respondent appeared before an Investigative Committee of the Board and gave sworn testimony as to the above allegations. In the course of testifying, Respondent admitted to recordkeeping deficiencies with respect to the herein matters. Although Respondent was advised, both in advance of his attendance and immediately prior to testifying, that he could be

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accompanied by counsel while appearing before the Committee, Respondent chose to proceed and was unrepresented at the time he testified and made the aforementioned admissions. Subsequent to appearing before the Board Committee, Respondent provided the Board with patient records relating to the herein matters, such records having not been previously provided by Respondent to the Board at the time he appeared before the Committee of the Board.

It appearing that the parties wish to resolve these matters amicably, without the necessity for a formal hearing, and, the Board finding that the disposition of the matter as set forth herein is adequately protective of the public health, safety and welfare, and other good cause appearing:

IT IS, therefore, on this 17th day of March, 1999,

ORDERED THAT:

1. Respondent, Richard L. Gordon, D.O., is reprimanded for his failure to maintain patient charts and prescription records meeting the requirements of N.J.A.C. 13:35-6.5 and N.J.A.C. 13:35-6.6;
2. Respondent shall perform fifty (50) hours of community service in a non-medical area within one (1) year of the entry of this Order. Prior to commencement of such service, Respondent shall obtain Board approval for his choice of service. Upon completing his community service, Respondent shall provide written documentation to the Board that he has satisfactorily performed such service;
3. Respondent shall, within the twelve (12) months following entry of this Order, take and successfully complete, at his own expense, an ethics course approved in advance by the Board, such as, but not limited to, the Professional Problem-Based Ethics (ProBe) program. Successful completion means that all sessions were attended, all assignments were satisfactorily completed, and a passing grade was achieved which was unconditional and without reservations;
4. Respondent shall continue in counselling for at least one year. Respondent shall cause his therapist to provide the Board with quarterly reports regarding Respondent's attendance and progress in therapy;

5. Respondent shall pay the Board's costs of investigation in this matter in the amount of \$2237.89. Such costs shall be paid by certified check or money order made payable to the State of New Jersey and submitted to the State Board of Medical Examiners at P.O. Box 183, Trenton, New Jersey 08625-0183, within twenty (20) days of the date of entry of this Order;

6. Respondent shall pay a civil penalty in the amount of \$2,000.00. Such penalty shall be paid by certified check or money order made payable to the State of New Jersey and submitted to the State Board of Medical Examiners at P.O. Box 183, Trenton, New Jersey 08625-0183, within twenty (20) days of the date of entry of this Order.

NEW JERSEY STATE BOARD OF
MEDICAL EXAMINERS

By: 

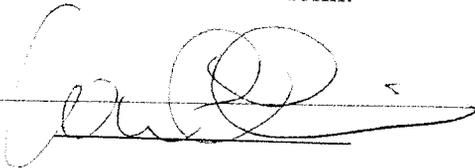
Bernard Robins, M.D., F.A.C.P.
Board President

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



Richard L. Gordon, D.O

Consented to as to form:



William C. Levine, Esq.