

JOHN J. FARMER, JR.
Attorney General of New Jersey
Division of Law
124 Halsey Street
P.O. Box 45029
Newark, New Jersey 07102
Attorney for Board of Medical Examiners

FILED

April 17, 2000
**NEW JERSEY STATE BOARD
OF MEDICAL EXAMINERS**

By: Debra W. Levine
Deputy Attorney General
(973) 648-4876

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

_____	:	
IN THE MATTER OF THE	:	
SUSPENSION OR REVOCATION OF	:	Administrative Action
THE LICENSE OF	:	
	:	CONSENT ORDER OF VOLUNTARY
BARBARA MAUGLE, D.P.M.	:	SURRENDER OF LICENSE
	:	
TO PRACTICE PODIATRIC MEDICINE	:	
IN THE STATE OF NEW JERSEY	:	
_____	:	

This matter was opened to the New Jersey State Board of Medical Examiners (the "Board") by receipt of information provided to the Board by Louis E. Baxter, Sr., M.D., F.A.S.A.M., Medical Director of the Physicians' Health Program. He notified the Board by way of a January 21, 2000 letter that respondent, who was a podiatry resident when she first enrolled in the Physicians' Health Program in November 1998 and is currently unemployed, has relapsed in her abuse of alcohol.

Dr. Baxter informed the Board that in August 1999 respondent self-reported a relapse and advised that she had been involved in an incident involving an assault on a police officer. He further reports

CERTIFIED TRUE COPY

that sentencing in this matter included forty (40) days in a rehabilitation program or 48 days in prison. The Board's independent investigation has thus far revealed an extensive record of arrests and dispositions for Driving Under the Influence ("DUI") with the most recent arrest uncovered by the Enforcement Bureau of the Division of Consumer Affairs occurring in October 1999. At the time of this DUI arrest in Chatham Township, respondent was also charged with possession of Schedule IV Controlled Dangerous Substances, open container, driving while suspended, operating with drugs in a motor vehicle and careless driving.*

The parties, having agreed to the resolution of this matter without further formal proceedings; respondent having given her voluntary consent to the within Order; and, the Board finding that this disposition is adequately protective of the public interest, and other good cause appearing,

it is, therefore, on this 17th day of April , 2000,

ORDERED that:

1. Respondent Barbara Maugle, D.P.M., is hereby granted leave and shall immediately voluntarily surrender by consent her license to practice podiatric medicine in the State of New Jersey.

2. Upon her receipt of a filed copy of the Order, respondent shall return her original New Jersey license and current biennial

* In the interest of the public's safety, this matter is resolved prior to the completion of the Board's investigation, therefore, this Order does not reflect respondent's complete criminal history.

registration to the New Jersey State Board of Medical Examiners, P. O. Box 183, Trenton, New Jersey 08625-0183.

3. Upon her receipt of a filed copy of this Order, respondent shall return her original CDS registration to the New Jersey State Board of Medical Examiners, P. O. Box 183, Trenton, New Jersey 08625-0183.

4. Upon her receipt of a filed copy of this Order, respondent shall immediately advise the DEA of this Order and forward a copy of this Order.

5. The time of respondent's voluntary surrender of her license shall run from the date this Order is executed by the parties herewith.

6. Said voluntary surrender shall have the same force and effect as if her license had been revoked, and respondent shall immediately cease and desist any practice of podiatry.

7. In the event respondent wishes to petition the Board for reinstatement of her license to practice medicine in the State of New Jersey, she shall appear personally before a Committee of the Board and she shall have the burden to demonstrate to the satisfaction of the Board that she is capable of discharging the functions of a licensee in a manner consistent with the public's health, safety and welfare.

8. Respondent shall sign the necessary releases of information and/or cause and permit the staff or other designee of the Physicians' Health Program or any other person or entity treating the

respondent for drug or alcohol addiction to disclose to the Board any records or evaluation it has made of the respondent as well as any recommendations and any other pertinent information. This shall include advising the Board of any and all programs in which respondent engages, including urine monitoring and attendance at rehabilitation programs.

STATE BOARD OF MEDICAL EXAMINERS

By William V. Harrer MD
William V. Harrer, M.D.
Vice President

I have read the within Order and hereby consent to its entry and agree to be bound by its terms.

Barbara Maugle DPM -
Barbara Maugle, D.P.M.

L. E. Baxter
Dr. Louis E. Baxter, M.D., F.A.S.A.M.
Physicians' Health Program

Linda Pleva witnessed
signature 3/24/00

**DIRECTIVES APPLICABLE TO ANY MEDICAL BOARD LICENSEE
WHO IS SUSPENDED, REVOKED OR WHOSE SURRENDER OF LICENSURE
HAS BEEN ACCEPTED**

APPROVED BY THE BOARD ON OCTOBER 11, 1995

The following directives shall apply when a license is suspended or revoked or permanently surrendered with or without prejudice.

1. Document Return and Agency Notification

The licensee shall promptly forward to the Board office at Post Office Box 183, Trenton, New Jersey 08625-0183, the original license, current biennial registration and, if applicable, the original CDS registration. In addition, if the licensee holds a Drug Enforcement Agency (DEA) registration, he or she shall promptly advise the DEA of the licensure action. (With respect to suspensions of a finite term, at the conclusion of the term, the licensee may contact the Board office for the return of the documents previously surrendered to the Board. In addition, at the conclusion of the term, the licensee should contact the DEA to advise of the resumption of practice and to ascertain the impact of that change upon his/her DEA registration.)

2. Practice Cessation

The licensee shall cease and desist from engaging in the practice of medicine in this State. This prohibition not only bars a licensee from rendering professional services, but also from providing an opinion as to professional practice or its application, or representing him/herself as being eligible to practice. (Although the licensee need not affirmatively advise patients or others of the revocation, suspension or surrender, the licensee must truthfully disclose his/her licensure status in response to inquiry.) The disciplined licensee is also prohibited from occupying, sharing or using office space in which another licensee provides health care services. The disciplined licensee may contract for, accept payment from another licensee for or rent at fair market value office premises and/or equipment. In no case may the disciplined licensee authorize, allow or condone the use of his/her provider number by the practice or any other licensee or health care provider. (In situations where the licensee has been suspended for less than one year, the licensee may accept payment from another professional who is using his/her office during the period that the licensee is suspended, for the payment of salaries for office staff employed at the time of the Board action.)

A licensee whose license has been revoked, suspended for one (1) year or more or permanently surrendered must remove signs and take affirmative action to stop advertisements by which his eligibility to practice is represented. The licensee must also take steps to remove his/her name from professional listings, telephone directories, professional stationery, or billings. If the licensee's name is utilized in a group practice

title, it shall be deleted. Prescription pads bearing the licensee's name shall be destroyed. If no other licensee is providing services at the location, all medications must be removed and returned to the manufacturer, if possible, destroyed or safeguarded. (In situations where a license has been suspended for less than one year, prescription pads and medications need not be destroyed but must be secured in a locked place for safekeeping.

3. Practice Income Prohibitions/Divestiture of Equity Interest in Professional Service Corporations

A licensee shall not charge, receive or share in any fee for professional services rendered by him/herself or others while barred from engaging in the professional practice. The licensee may be compensated for the reasonable value of services lawfully rendered and disbursements incurred on a patient's behalf prior to the effective date of the Board action.

A licensee who is a shareholder in a professional service corporation organized to engage in the professional practice, whose license is revoked, surrendered or suspended for a term of one (1) year or more shall be deemed to be disqualified from the practice within the meaning of the Professional Service Corporation Act. (N.J.S.A. 14A:17-11). A disqualified licensee shall divest him/herself of all financial interest in the professional service corporation pursuant to N.J.S.A. 14A:17-13(c). Such divestiture shall occur within 90 days following the disqualification to own shares in the corporation. Upon divestiture, a licensee shall forward to the Board a copy of documentation forwarded to the Secretary of State, Commercial Reporting Division, demonstrating that the interest has been terminated. If the licensee is the sole shareholder in a professional service corporation, the corporation must be dissolved within 90 days of the licensee's disqualification.

4. Medical Records

If, as a result of the Board's action, a practice is closed or transferred to another location, the licensee shall ensure that during the three (3) month period following the effective date of the disciplinary order, a message will be delivered to patients calling the former office premises, advising where records may be obtained. The message should inform patients of the names and telephone numbers of the licensee (or his/her attorney) assuming custody of the records. The same information shall also be disseminated by means of a notice to be published at least once per month for three (3) months in a newspaper of general circulation in the geographic vicinity in which the practice was conducted. At the end of the three month period, the licensee shall file with the Board the name and telephone number of the contact person who will have access to medical records of former patients. Any change in that individual or his/her telephone number shall be promptly reported to the Board. When a patient or his/her representative requests a copy of his/her medical record or asks that that record be forwarded to another health care provider, the licensee shall promptly provide the record without charge to the patient.

NOTICE OF REPORTING PRACTICES OF BOARD
REGARDING DISCIPLINARY ACTIONS

Pursuant to N.J.S.A. 52:14B-3(3), all orders of the New Jersey State Board of Medical Examiners are available for public inspection. Should any inquiry be made concerning the status of a licensee, the inquirer will be informed of the existence of the order and a copy will be provided if requested. All evidentiary hearings, proceedings on motions or other applications are conducted as public hearings and the record, including the transcript and documents marked in evidence, are available for public inspection, upon request.

Pursuant to 45 CFR Subtitle A 60.8, the Board is obligated to report to the National Practitioners Data Bank any action relating to a physician which is based on reasons relating to professional competence or professional conduct:

- (1) Which revoked or suspends (or otherwise restricts) a license,
- (2) Which censures, reprimands or places on probation,
- (3) Under which a license is surrendered.

Pursuant to N.J.S.A.45:9-19.13, if the Board refuses to issue, suspends, revokes or otherwise places conditions on a license or permit, it is obligated to notify each licensed health care facility and health maintenance organization with which a licensee is affiliated and every other board licensee in this state with whom he or she is directly associated in private medical practice.

In accordance with an agreement with the Federation of State Medical Boards of the United States, a list of all disciplinary orders are provided to that organization on a monthly basis.

Within the month following entry of an order, a summary of the order will appear on the public agenda for the next monthly Board meeting and is forwarded to those members of the public requesting a copy. In addition, the same summary will appear in the minutes of that Board meeting, which are also made available to those requesting a copy.

Within the month following entry of an order, a summary of the order will appear in a Monthly Disciplinary Action Listing which is made available to those members of the public requesting a copy.

On a periodic basis the Board disseminates to its licensees a newsletter which includes a brief description of all of the orders entered by the Board.

From time to time, the Press Office of the Division of Consumer Affairs may issue releases including the summaries of the content of public orders.

Nothing herein is intended in any way to limit the Board, the Division or the Attorney General from disclosing any public document.