



her license, her four DWI arrests and her present practice plans. Specifically, Dr. Maugle testified that, since ceasing practice (it is noted that respondent ceased practicing prior to the entry of the April 17, 2000 Order), she received treatment at the Marworth Treatment Center between January 29, 2000 and February 6, 2000. Thereafter, on February 10, 2000, respondent entered a four-week treatment program at the Clear Brook Manor in Wilkes-Barre, Pennsylvania, which she successfully completed on March 9, 2000.

Dr. Baxter stated that, since her discharge from Clear Brook Manor, respondent has maintained absolute abstinence from alcohol or other substance use and has faithfully pursued the recovery plan outlined for her by the Physicians' Health Program, to include attending four to five meetings of the support group of Alcoholics Anonymous each week and participating in a weekly physicians aftercare group conducted by Mr. Harold Clotworthy in Bridgewater, New Jersey. Mr. Clotworthy submitted correspondence to the Board wherein he stated that Dr. Maugle was regularly attending her aftercare program on a weekly basis and maintaining abstinence.

Dr. Baxter further noted that Dr. Maugle has been subjected to random weekly urine-monitoring program throughout this<sup>4</sup> entire time, and that her screens have been consistently negative for the presence of alcohol or any psychoactive substances. Additionally, correspondence dated October 23, 2000 was provided to the Board from respondent's treating psychotherapist, Dr. Thomas Sprague. Dr. Sprague commented that Dr. Maugle had been consistent and compliant with her psychiatric treatment plan and that she appeared committed to active sobriety, and Dr. Sprague offered his opinion that respondent was fit to resume the

practice of podiatry at this time. Based on respondent's progress in treatment, Dr. Baxter supported respondent's petition for licensure reinstatement, provided that the reinstatement was subject to conditions to include practice supervision, monitoring by the PHP, and continuing treatment.

On the issue of respondent's multiple DWI arrests and convictions, respondent testified that she has been arrested for DWI on four occasions -- two of the arrests occurred in June 1997 (approximately one week apart), a third in August 1998 and the most recent in October 1999. Dr. Maugle stated that she has pled guilty on three occasions (on one occasion she was admitted to PTI), and reports that she has been sentenced, among other items, to perform community service, take a course in driving awareness and to pay costs and penalties. Additionally, Dr. Maugle's driver's license has been suspended for a period of ten years.

Upon review of available information, the Board is satisfied that respondent has made all demonstrations of present fitness to resume the practice of podiatry required by operation of the April 17, 2000 Consent Order. The Board thus concludes that cause exists at this time to enter an Order reinstating respondent's licensure, provided that respondent complies with all conditions and terms imposed upon her below. Given, however, that respondent has not currently submitted an acceptable practice proposal to the Board, respondent shall be expressly precluded from resuming any practice of podiatry until such time as she presents a plan for supervised practice, with a supervisor acceptable to the Board, and receives express approval from the Board to resume practice at the proposed practice setting.

Finally, notwithstanding the Board's determination that cause exists to reinstate respondent's license at this time, the Board has additionally concluded that cause exists to support the entry of further formal disciplinary action against respondent in this case. Specifically, the Board finds that respondent's multiple convictions for DWI are convictions of offenses which involve moral turpitude and relate adversely to the practice of podiatry, and finds that respondent made misrepresentations to the Board on her application for initial podiatry licensure and on a renewal application when she answered "no" to questions asking whether she had been arrested or convicted of certain offenses (to include DWI offenses). Based on the above misconduct, the Board has concluded that cause for disciplinary sanction against respondent exists pursuant to N.J.S.A. 45:1-21(a) and 45:1-21(f). The Board is satisfied that, in these circumstances, particularly in light of respondent's evidenced commitment to recovery and the fact that she has been effectively precluded from practicing podiatry in the State of New Jersey for a period exceeding one year, the entry of the additional sanction of a formal reprimand is an appropriately meted disciplinary action. The Board being further satisfied that the within Order adequately protects the public health, safety and welfare, and that good cause exists for entry of the within Order,

IT IS on this 29th day of May , 2001,

ORDERED:

1. Respondent Barbara Muggle, D.P.M., is hereby formally reprimanded for her multiple DWI convictions, and for having made misrepresentations to the Board by failing to disclose her arrests and

convictions for DWI in response to questions requiring disclosure on Board licensure application forms.

2. The license of respondent Barbara Maugle, D.P.M., to practice podiatry in the State of New Jersey is hereby reinstated, contingent upon respondent's compliance with all terms and conditions set forth within this Order. Notwithstanding the reinstatement ordered herein, respondent is expressly precluded from engaging in any practice of podiatry until such time as respondent shall present a written proposal to the Board, outlining her practice plans. Any proposed practice of podiatry shall be under the supervision of a New Jersey licensed podiatrist, and any resumed practice shall be subject to express pre-approval by the Board. Any proposed supervisor shall be made aware of respondent's history and of all conditions of this Order. Respondent may be required to appear before a Committee of the Board at such time as she presents a practice proposal, for the purpose of discussing the details of said proposal with the Board and then demonstrating her compliance with all terms and conditions of this Order.

3. Respondent shall maintain absolute abstinence from all psychoactive substances, unless any such substances are prescribed by a treating physician for a documented medical condition, and provided further that said treating physician provides written notification to the Medical Director of the Physicians' Health Program regarding said prescribing.

4. Respondent shall continue to participate no less than weekly in the physicians' aftercare group run by Mr. Harold Clotworthy, until such time as both Mr. Clotworthy and the Medical Director of the

Physicians' Health Program both recommend that such participation can be discontinued.

5. Respondent shall continue to receive ongoing psychotherapy until such time as her therapist and the Medical Director of the Physicians' Health Program both conclude that such treatment has been concluded.

6. Respondent shall submit to twice weekly random urine screens to be conducted by the Physicians' Health Program for the first six months following the entry of this Order, and to weekly urine screens thereafter for a period of not less than one year.

7. Respondent shall continue to attend meetings of the support group Alcoholics Anonymous, at such frequency as may be recommended by the Medical Director of the Physicians' Health Program.

8. Respondent shall continue to participate in the Physicians' Health Program, and shall comply with all recommendations and requirements of said program, to include participating in monthly face-to-face visits with the staff of the Physicians' Health Program. The Physicians' Health Program shall provide quarterly reports to the Board regarding respondent's participation in the Program, and shall provide the Board with immediate notification in the event respondent fails to comply with any recommendations or requirements of the Program, fails to participate in random urine monitoring, and/or in the event that respondent relapses or otherwise engages in any use of alcohol or any other psychoactive substance (other than as provided in paragraph 2 above).

9. Respondent agrees and acknowledges that any reporting by the Physicians' Health Program to the Board of any non-compliance with

the recommendations or requirements of the Program or of relapse of substance abuse, or any other material failure by respondent to comply with any of the terms and requirements of this Order, shall provide cause, without more, for the entry of an immediate Order by the Board suspending respondent's licensure.

NEW JERSEY STATE BOARD  
OF MEDICAL EXAMINERS

By: William Harrer M.D.  
William Harrer, M.D.  
Board Vice President

I have reviewed and considered the within Order, and agree to its terms. Consent is hereby given to the Board to enter this Order.

Barbara Maugle  
Barbara Maugle, D.P.M.

Date: \_\_\_\_\_

Agreement is made, on behalf of the Physicians' Health Program, to participate in the continued monitoring of Barbara Maugle, D.P.M., and to comply with all terms and conditions placed on the Program by operation of this Consent Order.

Louis Baxter  
Louis Baxter, M.D.  
Medical Director  
Physicians' Health Program

Date: 5/17/01