

DAVID SAMSON
ATTORNEY GENERAL OF NEW JERSEY
Division of Law - 5th Fl.
124 Halsey Street
P.O. Box 45029
Newark, New Jersey 07101

FILED

October 23, 2002

**NEW JERSEY STATE BOARD
OF MEDICAL EXAMINERS**

By: **Hakima Bey-Lawson**
Deputy Attorney General
Tel: (973)648-2478

STATE OF NEW JERSEY
DEPARTMENT OF LAW & PUBLIC SAFETY
DIVISION OF CONSUMER AFFAIRS
BOARD OF MEDICAL EXAMINERS
OAL DOCKET NO.

IN THE MATTER OF THE SUSPENSION :
OR REVOCATION OF THE LICENSE OF : Administrative Action
:
JOHN K. LEE, M.D. : CONSENT ORDER
LICENSE NO. MA 026906 :
:
TO PRACTICE MEDICINE AND SURGERY :
IN THE STATE OF NEW JERSEY :
:

This matter was opened to the **New Jersey State Board of Medical Examiners** (hereinafter **the "Board"**) upon receipt of information from the Enforcement Bureau of the Division of Consumer Affairs which revealed that, John K. Lee, M.D., (hereinafter the "respondent"), engaged in questionable prescribing practices of controlled dangerous substances to patients N.B. and G.P.

The respondent, represented by Michael J. Schoppman, Esq., appeared before the Preliminary Evaluation Committee of the Board on October 25, 2000. According to the respondent's testimony, he treated patient N.3. from August 12, 1991 to June 2, 1999 and

CERTIFIED TRUE COPY

treated G.P. from October 16, 1982 to March 16, 1999. Thereafter, the respondent refused to answer **questions** relying on the protection against self-incrimination afforded by the Fifth Amendment to the United States Constitution.

The Board finds that the respondent indiscriminately prescribed controlled dangerous substances to patients N.B. and G.P. The Board further finds that the respondent's medical care to patients N.B. and G.P. was inadequate. Respondent's actions as described herein constitute violations of N.J.S.A. 45:1-21 (c), (d) and (e).

Respondent being desirous of **resolving** this matter without further formal proceedings and **the** Board finding the within Order adequately protective of the public health, safety and welfare, and for good cause having been shown:

IT IS on this 14th day of SEPTEMBER, 2002

ORDERED AND AGREED:

1. Respondent, John K. Lee, M.D. is hereby reprimanded for the indiscriminate **prescribing** of controlled dangerous substances and the inadequate medical care to patients N.B. and G.P.

2. Respondent shall *pay* civil penalties in the amount of \$7,500.

3. Respondent shall pay investigative costs in the amount of \$4,844.10.

4. Said civil penalties and **costs shall** be memorialized in a Certificate of Debt duly recorded in **the** State of New Jersey, and paid **by** respondent in eighteen (18) monthly installments of seven hundred eighteen dollars and eighty one cents (\$718.81), including **the** statutory interest rate of six percent (6.0%), pursuant to the provisions of R. 4:42-11 and **shall** be paid on or before the thirtieth (30th) day of each month, commencing **October 30, 2002** and ending no later than **March 30, 2004**. The total amount to be paid by the respondent under **the terms** of this Order is \$12,938.62, which includes interest in the amount of \$594.62. Any failure by **the** respondent to make payments under **the terms** of this **Order** shall **accelerate the** respondent's total debt to the Board, and shall, itself, constitute professional misconduct pursuant to N.J.S.A. 45:1-21(e), thereby subjecting the respondent to any and all remedies available to the Board pursuant to N.J.S.A. 45:1-21 and 22.

5. Said payments for civil penalties and costs shall be made by certified check or money order and made payable to the Board of Medical Examiners and shall be submitted to William Roeder, Executive Director of the Board of Medical Examiners, P.O. Box 183, Trenton, New Jersey 08625-0183.

6. Respondent shall, within the next six months following entry of this Order, **take** and successfully complete a controlled dangerous substance course and a medical record keeping course

approved in advance by the Board. Successful completion means that all sessions were attended, all assignments were properly and appropriately completed, and a passing grade was achieved which was unconditional and without reservations.

NEW JERSEY STATE BOARD OF
MEDICAL EXAMINERS

By: William V. Harrer MD BLD
Dr. William V. Harrer, M.D., B.L.D.
President

I have read and understood the within Order and agree to be bound by its contents. Consented to as to **form** and entry.

John K. Lee, M.D.
John K. Lee, M.D.
Respondent

Consented to as to form and entry

Michael Schoppman, Esq.
Michael Schoppman, Esq.