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**FILED**

May 29, 2003  
**NEW JERSEY STATE BOARD  
OF MEDICAL EXAMINERS**

By: Megan K. Matthews  
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STATE OF NEW JERSEY  
DEPARTMENT OF LAW & PUBLIC SAFETY  
DIVISION OF CONSUMER AFFAIRS  
STATE BOARD OF MEDICAL EXAMINERS

IN THE MATTER OF THE SUSPENSION :  
OR REVOCATION OF THE LICENSE OF :

**James B. Loftus, M.D.**  
**License No.: MA 53247**

Administrative Action

**MODIFIED CONSENT ORDER  
OF RESTRICTED LICENSURE**

TO PRACTICE MEDICINE AND SURGERY :  
IN THE STATE OF NEW JERSEY :  
\_\_\_\_\_ :

This matter was opened to the State Board of Medical Examiners ("Board") upon receipt of Dr. Loftus' petition to grant him further modification of the Modified Consent Order of Reinstatement of Licensure, dated May 20, 2002. Dr. Loftus' petition was made with full endorsement of David I. Canavan, M.D., Medical Director Emeritus of the Physicians' Health Program (P.H.P.).

On September 30 1999, Dr. Loftus voluntarily surrendered his license by Consent Order and entered into intensive outpatient treatment at Seabrook House in Atlantic City. On May 22, 2000, Respondent's license was reinstated by Consent Order. That Consent Order reflected Respondent's employment in a surgical center in Toms River, New Jersey. On May 20, 2002 a Consent Order was filed which restored Dr. Loftus' privileges to prescribe controlled dangerous substances, permitted him to

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discontinue Naltrexone treatment, and reduced the frequency of his urine monitoring.

On January 22, 2003, Dr. Loftus appeared pursuant to the instant petition to request that his therapy with Dr. Makarevich be discontinued, that his urines be reduced to twice monthly and that his face to face follow-up visits be at the direction of the Executive Medical Director of the PHP consistent with the duration of his recovery. The PHP provided a Position Statement which formally endorsed the modifications sought by Dr. Loftus.

Dr. Loftus testified that he has been completely compliant with the requirements of the PHP. Dr. Makarevich, the licensed psychologist and addiction specialist with whom Dr. Loftus has sought counseling, provided the Board with a letter in which he states that Dr. Loftus has an excellent prognosis and in which he recommends that Dr. Loftus be allowed to cease his aftercare commitment as of January 31, 2003. Dr. Loftus is still being supervised by Dr. Schorr at Ocean Endosurgery Center in Toms River, N.J.

The Board having considered the Dr. Loftus' testimony and the recommendations of the PHP in this case and all relevant documentation submitted and finding that the within Order is adequately protective of the public health, safety and welfare,

IT IS on this 12 day of March , 2003

ORDERED that:

1. Dr. Loftus is to maintain absolute abstinence from alcohol and all psychoactive substances unless prescribed by a treating physician for a documented medical condition.

2. Dr. Loftus shall submit to random urine monitoring under the supervision of the PHP on a random, unannounced twice monthly basis. All test results shall be provided in the first instance directly to the PHP and any positive results shall be reported immediately by the PHP to the Executive Director of the Board of Medical Examiners. Any failure by the respondent to submit or provide a urine sample within twenty-four hours of a request will be deemed to be equivalent to a confirmed positive urine test.

3. Dr. Loftus shall be employed only as an independent contractor in a Board approved facility under the supervision of Judah Schorr, M.D. and shall take no part-time employment or volunteer work in the field of medicine. Respondent shall notify the Board immediately should he seek to return to a hospital setting. Respondent shall ensure that Dr. Schorr signs this Order agreeing to submit quarterly reports to the Board pertaining to respondent's work and his continued abstention from mood-altering drugs;

4. Dr. Loftus shall continue to attend support groups, including NA/AA at the frequency of no less than four times per week and shall provide evidence of attendance at such groups directly to the PHP. Dr. Loftus agrees the PHP shall advise the Board immediately in the event it receives information that the respondent has discontinued attendance at any of the support groups;

5. Dr. Loftus shall participate in and attend face-to-face follow-up meetings with the PHP at the direction of the Executive Medical Director of the Program.

6. The PHP shall continue to submit quarterly reports to the Board regarding Dr. Loftus' compliance with and participation in the treatment plan outlined for him;

7. The PHP shall notify the Medical Director of the Board of Medical Examiners if there is any evidence of non-compliance with this Order or if there is any evidence of a relapse on the part of Dr. Loftus; and

8. Dr. Loftus shall comply with all terms and conditions of the within Order, with all statutes and regulations concerning the practice of medicine and surgery, and with the general laws of the state of New Jersey. If the respondent fails to strictly comply with any of the aforesaid terms, the Attorney General may apply for an emergent hearing before this Board or such member(s) as the Board President may designate for this purpose on forty-eight hours notice to Respondent. That hearing shall be limited to the issued of whether this Order has been violated. Upon proof by a preponderance of the evidence of a material violation of this Order, the Board may summarily suspend or limit Respondent's license to practice pending a plenary hearing on those charges.

NEW JERSEY STATE BOARD OF MEDICAL EXAMINERS

BY: William V. Harrer, M.D., B.L.D.  
William V. Harrer, M.D., B.L.D.  
President

I have read and understand  
the above Order and I agree  
to abide by its terms.

James B. Loftus, M.D.  
James B. Loftus, M.D.

Consent as to form:

David I. Canavan, M.D.  
David I. Canavan, M.D.  
Medical Director Emeritus  
Physicians' Health Program

Judah Schorr, M.D.  
Judah Schorr, M.D.