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FILED

JUN 19 2003

PHYSICIAN ASSISTANT
ADVISORY COUNSEL

State of New Jersey

DEPARTMENT OF LAW AND PUBLIC SAFETY
DIVISION OF CONSUMER AFFAIRS
STATE BOARD OF MEDICAL EXAMINERS
140 EAST FRONT STREET, 2ND FLOOR, TRENTON NJ

JAMES E. MCGREEVEY
Governor

PETER C. HARVEY
Acting Attorney General
RENI ERDOS
Director

June 17, 2003

Mailing Address:
P.O. Box 183
Trenton, NJ 08625
(609) 826-7100

REGULAR MAIL AND
CERTIFIED RETURN RECEIPT

Elliott Adler, Esq.
Stephen Bilkis and Associates
805 Smith Street
Baldwin, New York 11510
and
Dorothy O. Carlos, P.A.
262 Garden Street
Englewood, New Jersey 07631

Re: I/M/O Dorothy O. Carlos, P.A.

Dear Mr. Adler and Ms. Carlos:

Enclosed is a certified true copy of the Administrative Action CONSENT ORDER filed June 12, 2003 with the New Jersey Board of Medical Examiners.

If you have any questions, please do not hesitate to call this office.

Very truly yours,

NEW JERSEY STATE BOARD
OF MEDICAL EXAMINERS

Peggy A. Harris
Assistant Executive Director

Enclosure

cc: Sandra Dick, D.A.G.
Joyce Brown, D.A.G.
Ed Tumminello, EB
Dorcas O'Neal, Exec. Dir., Bd of P.A.

PETER HARVEY
ACTING ATTORNEY GENERAL OF NEW JERSEY
Division of Law, 5th Floor
124 Halsey Street
P.O. Box 45029
Newark, New Jersey 07101

FILED

June 12, 2003

**NEW JERSEY STATE BOARD
OF MEDICAL EXAMINERS**

By: Joyce Brown
Deputy Attorney General
Telephone: (973) 648-4735

FILED

19 June 2003

**PHYSICIAN ASSISTANT
ADVISORY COMMITTEE**

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

[Signature]

IN THE MATTER OF THE SUSPENSION)
OR REVOCATION OF THE LICENSE OF:)
DOROTHY O. CARLOS, P.A.)
TO PRACTICE AS A PHYSICIAN)
ASSISTANT IN THE STATE OF)
NEW JERSEY)

Administrative Action
CONSENT ORDER

This matter was opened before the New Jersey State Board of Medical Examiners upon receipt of information from the New York State Board for Professional Medical Conduct (the New York Board) which disclosed that on or about December 11, 2002, respondent and the New York Board entered into a Consent Agreement and Order based upon a violation of New York Education Law §6530(4) in that respondent practiced the profession of medicine with gross negligence. More specifically, respondent, agreed not to contest the factual allegations that during the period of November 25, 2001 through November 26, 2001, she failed to evaluate Patient A's low

CERTIFIED TRUE COPY

urine output, elevated potassium level and/or shortness of breath appropriately, and failed to notify the resident of Patient A's condition in a timely manner. Under the terms of the Consent Agreement and Order, respondent agreed to a sanction in which she is placed on probation for a period of sixty (60) months, subject to certain terms. The terms include but are not limited to, respondent's maintaining current registration with the New York State Education Department Division of Professional Licensing Services, cooperating fully with the Office of Professional Medical Conduct (OPMC) in its administration and enforcement of the Order, practicing as a physician assistant only when supervised by a practice supervisor who shall be on-site at all locations, ensuring the practice supervisor is familiar with the Order and terms of probation and willing to report to OPMC, authorizing the practice supervisor to have access to respondent's patient records and to submit quarterly reports to the Director of OPMC regarding respondent's practice, maintaining complete and legible medical records accurately reflecting evaluation and treatment of patients, as well as enrolling in and completing a continuing education program in the area of the management of congestive heart failure, specifically including the monitoring of electrolytes in the elderly, for a minimum of twenty (20) credit hours. Respondent represents that she currently engages in practice as a physician assistant in the State of New York.

The action taken by the New York Board against respondent provides grounds to take disciplinary action against respondent's New Jersey license to practice as a physician assistant as the conduct underlying the New York action is violative of New Jersey law pursuant to N.J.S.A. 45:1-21(c).

In order to resolve this matter without recourse to any further proceedings and for good cause shown,

IT IS ON THIS 12th DAY OF JUNE, 2003,

HEREBY ORDERED AND AGREED THAT:

1. Respondent Carlos shall be placed on probation for a period of sixty (60) months and such period of probation shall be concurrent with the period of probation imposed by the New York Board and until such time as she can demonstrate that she holds an unrestricted New York license. In the event that respondent secures employment as a physician assistant in the State of New Jersey, she shall be required to appear before the Board or a committee thereof prior to commencing employment in this State so that respondent's compliance with the terms of probation in the State of New York may be reviewed and the Board may place any practice restrictions it deems necessary.

NEW JERSEY STATE BOARD OF MEDICAL EXAMINERS

William Harrer MD BLD

By: _____

William V. Harrer, M.D., B.L.D.
Board President



New York State Board for Professional Medical Conduct
433 River Street, Suite 303 • Troy, New York 12180-2299 • (518) 402-0863

Antonia C. Novotko, M.D., M.P.H., Dr. P.H.
Commissioner
NYS Department of Health

Dennis P. Whalen
Executive Deputy Commissioner
NYS Department of Health

Dennis J. Graziano, Director
Office of Professional Medical Conduct

William P. Dillon, M.D.
Chair

Michael A. Gonzalez, R.P.A.
Vice Chair

Ansel R. Marks, M.D., J.D.
Executive Secretary

December 19, 2002

CERTIFIED MAIL-RETURN RECEIPT REQUESTED

Dorothy O. Carlos, R.P.A.
262 Garden Street
Englewood, NJ 07631

RE: License No. 002180

Dear Ms. Carlos:

Enclosed please find Order #BPMC 02-369 of the New York State Board for Professional Medical Conduct. This Order and any penalty provided therein goes into effect December 20, 2002.

If the penalty imposed by the Order is a surrender, revocation or suspension of this license, you are required to deliver to the Board the license and registration within five (5) days of receipt of the Order to Board for Professional Medical Conduct, New York State Department of Health, Hedley Park Place, Suite 303, 433 River Street, Troy, New York 12180.

Sincerely,

Ansel R. Marks, M.D., J.D.

Executive Secretary

Board for Professional Medical Conduct

Enclosure

cc: Elliott Adler, Esq.
Stephen Bilkis and Assoc.
805 Smith Street
Baldwin, NY 11510

NEW YORK STATE DEPARTMENT OF HEALTH
STATE BOARD FOR PROFESSIONAL MEDICAL CONDUCT

IN THE MATTER
OF
DOROTHY O. CARLOS, R.P.A.

CONSENT
ORDER

BPMC No. 02-369

Upon the application of (Respondent) DOROTHY O. CARLOS, R.P.A. in the attached Consent Agreement and Order, which is made a part of this Consent Order, it is

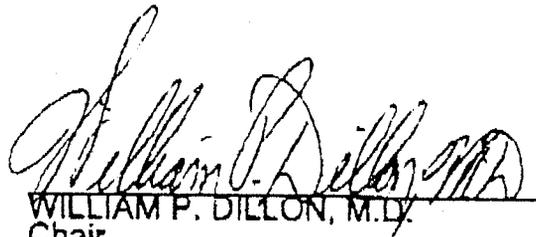
ORDERED, that the Consent Agreement, and its terms, are adopted and SO ORDERED, and it is further

ORDERED, that this Order shall be effective upon issuance by the Board, either

- by mailing of a copy of this Consent Order, by first class mail to Respondent at the address in the attached Consent Agreement and by certified mail to Respondent's attorney, OR
- upon facsimile transmission to Respondent or Respondent's attorney, Whichever is first.

SO ORDERED.

DATED: 12/16/02


WILLIAM P. DILLON, M.D.
Chair

State Board for Professional Medical Conduct

NEW YORK STATE DEPARTMENT OF HEALTH
STATE BOARD FOR PROFESSIONAL MEDICAL CONDUCT

IN THE MATTER
OF
DOROTHY O. CARLOS, R.P.A.

CONSENT
AGREEMENT
AND
ORDER

DOROTHY O. CARLOS, R.P.A., representing that all of the following statements are true, deposes and says:

That on or about July 15, 1983, I was authorized to practice as a registered physician assistant in the State of New York, and issued Registration No. 2180 by the New York State Education Department.

My current address is 262 Garden Street, Englewood, New Jersey 07631, and I will advise the Director of the Office of Professional Medical Conduct of any change of address.

I understand that the New York State Board for Professional Medical Conduct has charged me with one specification of professional misconduct.

A copy of the Statement of Charges, marked as Exhibit "A", is attached to and part of this Consent Agreement.

I do not contest the First Specification, in full satisfaction of the charges against me, and agree to the following penalty:

Pursuant to §230-a(9) of the Public Health Law, I shall be placed on probation for a period of 60 months, subject to the terms set forth in attached Exhibit "B."

I further agree that the Consent Order shall impose the following conditions:

That Respondent shall maintain current registration with the New York State Education Department Division of Professional Licensing Services (except during periods of actual suspension), and shall pay all registration fees. This condition shall take effect thirty (30) days after the Consent Order's effective date and will continue so long as Respondent remains authorized to practice as a registered physician assistant in New York State; and

That Respondent shall cooperate fully with the Office of Professional Medical Conduct (OPMC) in its administration and enforcement of this Order and in its investigations of matters concerning Respondent. Respondent shall respond in a timely manner to all OPMC requests for written periodic verification of Respondent's compliance with this Order. Respondent shall meet with a person designated by the Director of OPMC, as directed. Respondent shall respond promptly and provide all documents and information within Respondent's control, as directed. This condition shall take effect upon the Board's issuance of the Consent Order and will continue so long as Respondent remains licensed in New York State.

I stipulate that my failure to comply with any conditions of this Order shall constitute misconduct as defined by New York State Education Law §6530(29).

I agree that if I am charged with professional misconduct in the future, this Consent Agreement and Order shall be admitted into evidence in that proceeding.

I ask the Board to adopt this Consent Agreement.

I understand that if the Board does not adopt this Consent Agreement, none of its terms shall bind me or constitute an admission of any of the acts of alleged misconduct; this Consent Agreement shall not be used against me in any way and shall be kept in strict confidence; and the Board's denial shall be without prejudice to the pending disciplinary proceeding and the Board's final determination pursuant to the Public Health Law.

I agree that, if the Board adopts this Consent Agreement, the Chair of the Board shall issue a Consent Order in accordance with its terms. I agree that this Order shall take effect upon its issuance by the Board, either by mailing of a copy of the Consent Order by first class mail to me at the address in this Consent Agreement, and to my attorney by certified mail, OR upon facsimile transmission to me and my attorney, whichever is first.

I ask the Board to adopt this Consent Agreement of my own free will and not under duress, compulsion or restraint. In consideration of the value to me of the Board's adoption of this Consent Agreement, allowing me to resolve this matter without the various risks and burdens of a hearing on the merits, I knowingly waive my right to contest the Consent Order for which I apply, whether administratively or judicially, I agree to be bound by the Consent Order, and ask that the Board adopt this Consent Agreement.

DATED 11/13/02

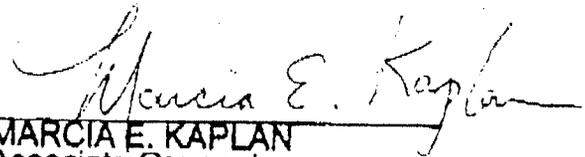
Dorothy O. Carlos R.P.A.
DOROTHY O. CARLOS, R.P.A.
RESPONDENT

The undersigned agree to Respondent's attached Consent Agreement and to its proposed penalty, terms and conditions.

DATE: 11-18-02


ELLIOTT ADLER, ESQ.
Attorney for Respondent

DATE: December 3, 2002


MARCIA E. KAPLAN
Associate Counsel
Bureau of Professional Medical Conduct

DATE: December 11, 2002

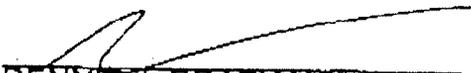

DENNIS J. GRAZIANO
Director
Office of Professional Medical Conduct

EXHIBIT "A"

NEW YORK STATE DEPARTMENT OF HEALTH
STATE BOARD FOR PROFESSIONAL MEDICAL CONDUCT

IN THE MATTER
OF
DOROTHY O. CARLOS, R.P.A.

STATEMENT
OF
CHARGES

DOROTHY O. CARLOS, R.P.A., the Respondent, was authorized to practice as a physician assistant in New York State on or about July 17, 1983, by the issuance of Registration Number 002180 by the New York State Education Department.

FACTUAL ALLEGATIONS

- A. During the period from on or about November 25, 2001 through November 26, 2001, at Maimonides Medical Center, 4802 10th Avenue, Brooklyn, N.Y. 11219, Respondent failed to evaluate and manage Patient A's low urine output, elevated potassium level, and/or shortness of breath appropriately, and failed to notify the resident of Patient A's condition in a timely manner.

SPECIFICATION OF CHARGES

FIRST SPECIFICATION

GROSS NEGLIGENCE

Respondent is charged with committing professional misconduct as defined in N.Y. Educ. Law §6530(4) by practicing the profession of medicine with gross negligence on a particular occasion as alleged in the facts of the following:

1. Paragraph A.

DATED: November , 2002
New York, New York

Roy Nemerson
Deputy Counsel
Bureau of Professional Medical Conduct

EXHIBIT "B"

Terms of Probation

1. Respondent's conduct shall conform to moral and professional standards of conduct and governing law. Any act of professional misconduct by Respondent as defined by New York State Education Law §6530 or §6531 shall constitute a violation of probation and may subject Respondent to an action pursuant to New York State Public Health Law §230(19).
2. Respondent shall provide the Director, Office of Professional Medical Conduct (OPMC), Hedley Park Place, 433 River Street Suite 303, Troy, New York 12180-2299 with the following information, in writing, and ensure that such information is kept current: a full description of Respondent's employment and practice; all professional and residential addresses and telephone numbers within and outside New York State; and all investigations, charges, convictions or disciplinary actions by any local, state or federal agency, institution or facility, within thirty (30) days of each action.
3. Respondent shall cooperate fully with, and respond in a timely manner to, OPMC requests to provide written periodic verification of Respondent's compliance with the terms of this Consent Order. Upon the Director of OPMC's request, Respondent shall meet in person with the Director's designee.
4. Respondent's failure to pay any monetary penalty by the prescribed date shall subject Respondent to all provisions of law relating to debt collection by New York State, including but not limited to: the imposition of interest, late payment charges and collection fees; referral to the New York State Department of Taxation and Finance for collection; and non-renewal of permits or licenses [Tax Law section 171(27)]; State Finance Law section 18; CPLR section 5001; Executive Law section 32].
5. The probation period shall toll when Respondent is not engaged in active practice as a physician assistant in New York State for a period of thirty (30) consecutive days or more. Respondent shall notify the Director of OPMC, in writing, if Respondent is not currently engaged in, or intends to leave, active medical practice in New York State for a consecutive thirty (30) day period. Respondent shall then notify the Director again at least fourteen (14) days before returning to active practice. Upon Respondent's return to active practice in New York State, the probation period will resume and Respondent shall fulfill any unfulfilled probation terms.
6. Respondent shall practice as a physician assistant only when supervised by a practice supervisor who shall be on-site at all locations. The practice supervisor shall be proposed by Respondent and subject to the written approval of the Director. The practice supervisor shall not be a family member or personal friend, or be in a professional relationship that could pose a conflict with supervision responsibilities.
7. Respondent shall ensure that the practice supervisor is familiar with the Order and terms of probation, and willing to report to OPMC. Respondent shall ensure that the practice supervisor is in a position to regularly observe and assess Respondent's practice as a physician assistant. Respondent shall cause the practice supervisor to report within 24 hours any suspected impairment, inappropriate behavior, questionable medical practice or possible misconduct to OPMC.

8. Respondent shall authorize the practice supervisor to have access to her patient records and to submit quarterly written reports to the Director of OPMC regarding Respondent's practice. These narrative reports shall address all aspects of Respondent's clinical practice including, but not limited to, the evaluation and treatment of patients, general demeanor, time and attendance, the supervisor's assessment of patient records selected for review and other such on-duty conduct as the supervisor deems appropriate to report.
9. The Director of OPMC may review Respondent's professional performance. This review may include but shall not be limited to: a review of office records, patient records and/or hospital charts; and interviews with or periodic visits with Respondent and staff at Respondent's practice locations or OPMC offices.
10. Respondent shall maintain complete and legible medical records that accurately reflect the evaluation and treatment of patients and contain all information required by State rules and regulations concerning controlled substances.
11. Respondent shall enroll in and complete a continuing education program in the area of the management of congestive heart failure, specifically including the monitoring of electrolytes in the elderly, for a minimum of 20 credit hours. This continuing education program is subject to the Director of OPMC's prior written approval and shall be completed within the probation period, unless the Order specifies otherwise.
12. Respondent shall comply with this Order and all its terms, and shall bear all associated compliance costs. Upon receiving evidence of noncompliance with, or violation of, these terms, the Director of OPMC and/or the Board may initiate a violation of probation proceeding, and/or any other such proceeding authorized by law, against Respondent.