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FILED

December 11, 2003

**NEW JERSEY STATE BOARD
OF MEDICAL EXAMINERS**

By: Daniel S. Goodman
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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 LICENSE OF

FARID A. NOOR, M.D.
LICENSE NO: MA 49694

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

Administrative Action

**CONSENT ORDER OF
VOLUNTARY SURRENDER
OF LICENSURE WITHOUT
PREJUDICE**

This matter was opened to the State Board of Medical Examiners upon the filing of an Order to Show Cause and Verified Complain, filed on November 26, 2003, seeking the temporary suspension of the medical license of Farid A. Noor, M.D. ("Respondent"). On or about July 17, 2003, Respondent was indicted by an Essex County Grand Jury on two fourth-degree felony charges of criminal sexual contact with a patient. The doctor being desirous of resolving this matter on an interim basis, and the Board having found the within disposition adequately protective of the public health, safety and welfare,

IT IS ON THIS 9th DAY OF Dec., 2003

ORDERED

CERTIFIED TRUE COPY

1. Respondent. Farid A. Noor, M.D., is hereby granted leave and shall surrender his license to **practice** medicine and surgery in the State of New Jersey without prejudice, pending the final resolution of all criminal charges pending against him, effective December 31, 2003.

2. Respondent agrees to immediately employ a Board approved chaperone, at his own expense, until his surrender of licensure becomes effective. Respondent agrees that he will not practice medicine until he employs such a chaperone. The chaperone shall be present with Respondent whenever he treats any female patients at any location and shall ensure that Respondent remains in compliance with N.J.A.C. 13:35-6.3. The chaperone is also to initial each female patient's chart to indicate the **chaperone's** presence at the examination and is to submit a final report to the Board when Respondent's surrender of licensure becomes effective. In addition, the chaperone is to notify the Board within twenty-four (24) hours of any violation of N.J.A.C. 13:35-6.3 or this chaperone agreement.

3. Upon proof of final resolution of all pending criminal charges against him, Respondent is granted leave to petition the Board for relief from the Order of Voluntary Surrender of Licensure.

4. Respondent shall return his original New Jersey license and current biennial registration to the New Jersey State Board of Medical Examiners, P.O. Box 183, Trenton, New Jersey 08625-0183, no later than December 31, 2003.

5. Respondent shall return his original CDS registration to the New Jersey State Board of Medical Examiners, P.O. Box 183, Trenton, New Jersey 08625-0183, no later than December 31, 2003.

6. Respondent shall advise the DEA of this Order no later than December 31, 2003.

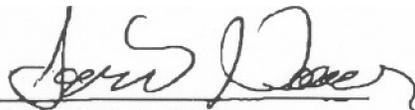
7. Respondent shall comply with the "Directives Applicable to Any Medical Board Licensee who is Suspended, Revoked, or whose Surrender of Licensure has been Accepted," which is attached hereto and made a part hereof.

8. The parties hereby stipulate that entry of this Order is without prejudice to further action by this Board or other law enforcement entities resulting from Respondent's conduct prior to entry into this Order.

NEW JERSEY STATE BOARD OF MEDICAL EXAMINERS

By: 
David E. Wallace, M.D.
President *M. De*

I have read and understood the within Order and agree to be bound by its terms. Consent is hereby given to the Board to enter this Order.


Farid A. Noor, M.D.

Consented to as to form:


Steven I. Kern, Esq.

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

APPROVED BY THE BOARD ON MAY 10, 2000

All licensees who are the subject of a disciplinary order of the Board are required to provide the information required on the addendum to these directives. The information provided will be maintained separately and will not be part of the public document filed with the Board. Failure to provide the information required may result in further disciplinary action for failing to cooperate with the Board, as required by N.J.A.C. 13:45C-1 et seq: Paragraphs 1 through 4 below shall **apply** when a license **is suspended** or revoked or permanently surrendered, with or without prejudice. Paragraph 5 applies to licensees who are the subject of an order which, while permitting continued practice, contains a probation or monitoring requirement.

1. Document Return and Agency Notification

The licensee shall promptly forward to the Board office at *Post Office Box 183, 140 East Front Street, 2nd floor, 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 tendering 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 any health care 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/her 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**. A destruction report form obtained from the Office of Drug Control (973-504-6558) must be filed. 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 and Limited Liability Companies

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)**. A licensee who is a member of a limited liability company organized pursuant to **N.J.S.A. 42:1-44**, shall divest him/herself of all financial interest. Such divestiture shall occur within 90 days following the the entry of the Order rendering the licensee disqualified to participate in the applicable form of ownership. 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 record be forwarded to another health care provider, the licensee shall promptly provide the record without charge to the patient.

5. Probation/Monitoring Conditions

With respect to any licensee who is the subject of any Order imposing a probation or monitoring requirement or a **stay** of an active suspension, in whole or in part, which is conditioned upon compliance with a probation or monitoring requirement, the licensee shall fully cooperate with the Board and its designated representatives, including the Enforcement Bureau of the Division of Consumer Affairs, in ongoing monitoring of the **licensee's status** and practice. Such monitoring shall be at the expense of the disciplined practitioner.

(a) Monitoring of practice conditions may include, but is not limited to, inspection of **the** professional premises and equipment, **and** inspection **and** copying of patient records (confidentiality of patient identity shall be protected **by** the Board) to verify compliance with the Board Order and accepted standards of practice.

(b) Monitoring of status conditions for an impaired practitioner may include, **but** is **not** limited to, practitioner cooperation in providing **releases** permitting unrestricted access to records **and** other information to the extent permitted by law from **any** treatment facility, other treating practitioner, support group or other individual/facility involved in the education, treatment, monitoring or oversight of the practitioner, or maintained **by** a rehabilitation program for impaired practitioners. If bodily **substance** monitoring **has** been ordered, the practitioner shall fully cooperate by responding to a demand for breath, blood, urine or other sample in a timely manner and providing the designated sample.

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

Pursuant to **45 CFR Section 61.7**, the Board is obligated to report to the Healthcare Integrity and Protection (HIP) Data Bank, any formal or official actions, such as revocation or suspension of a license (and the length of any such suspension), reprimand; censure or probation of any other loss of license or the right to apply for, or renew, a license of the provider, supplier, or practitioner, whether by operation of law, voluntary surrender, non-renewability, or otherwise, or any other negative action or finding by such Federal or State agency that is publicly available information.

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.