

FILED

December 18, 2003

NEW JERSEY STATE BOARD OF MEDICAL EXAMINERS

Effective Nunc Pro Tunc
February 24, 1999

STATE OF NEW JERSEY
DEPARTMENT OF LAW & PUBLIC SAFETY
DIVISION OF CONSUMER AFFAIRS
BOARD OF MEDICAL EXAMINERS

IN THE MATTER OF THE LICENSE OF

Administrative Action

Jonathan Siegel, D.P.M.
License No. MD1632

TO PRACTICE PODIATRY
IN THE STATE OF NEW JERSEY

FINAL ORDER
OF DISCIPLINE

This matter was opened to the New Jersey State Board of Medical Examiners upon receipt of information which the Board has reviewed and on which the following findings of fact and conclusions of law are made;

FINDINGS OF FACT

1. Respondent, Jonathan Siegel, D.P.M., License Number MD1632, is a podiatrist licensed in the State of New Jersey. Respondent's New Jersey license is currently expired and has been inactive since July 30, 1997.

2. On February 24, 1999, in Monmouth County, Respondent pled guilty to attempted theft by deception in violation of N.J.S.A. 2C:20-4. Respondent's underlying conduct entailed insurance fraud. Pursuant to the judgment of conviction, the court required the surrender of Respondent's license to practice podiatric medicine in the State of New Jersey.

3. **Although** Respondent has **not** taken any steps to **renew his license, Board records do not reflect the actual surrender of Respondent's license or the memorialization of a formal order of surrender.**

4. **In or about March 2001, Respondent was excluded from participation in Medicare, Medicaid and all Federal health care programs as defined in section 1128B(f) of the Social Security Act based upon an earlier exclusion from the New Jersey Medicaid program.**

5. **It appears that Respondent has failed to apprise the Board of his current address as required by N.J.A.C. 13:45C-1.3(a)7. The Board has received and reviewed the certification of DAG Megan Matthews which documents repeated unsuccessful attempts to contact Respondent for the purposes of obtaining his surrender of licensure.**

CONCLUSIONS OF LAW

1. The above guilty plea to a third degree charge of attempted theft by deception provides grounds to **take** disciplinary action against Respondent's license to **practice** medicine and **surgery** in New Jersey pursuant to N.J.S.A. 45:1-21(f) in that **Respondent has been** convicted of a **crime** or offense involving moral turpitude and **relating** adversely to the activity regulated by the Board.

2. Respondent has consented to the surrender of his license in accordance with a lawfully executed court disposition but has failed to consummate that surrender.

Based on the foregoing findings and conclusions, a Provisional Order of Discipline revoking respondent's license to practice medicine and surgery in the State of New Jersey was entered on October 14, 2003 and a copy was forwarded to Respondent's last known address by means of both regular and certified mail. The regular mail was not returned and the green return receipt card was returned signed. The Provisional Order of Discipline was also sent regular and certified mail to two other addresses in Red Bank and Howell New Jersey. In both cases, the regular mail was not returned and the certified mail was returned as undeliverable.

The Provisional Order was subject to finalization by the Board at 5:00 p.m. on the 30th business day following entry unless respondent requested a modification or dismissal of the state Findings of Fact or Conclusions of Law by submitting a written request for modification or dismissal setting forth in writing any and all reasons why said findings and conclusions should be modified or dismissed and submitting any and all documents or other written evidence supporting respondent's request for consideration and reasons therefor.

Although the record reflects that the Provisional Order was served on Respondent at his last known address of record, no response has been received to date. Accordingly, the Board

considered the matter, determined that further proceedings were not necessary and that the Provisional Order should be made final.

ACCORDINGLY, IT IS on this 18th day of Dec
2003, ORDERED that:

1. Respondent's New Jersey license is revoked nunc pro tunc effective February 24, 1999.

NEW JERSEY STATE BOARD OF MEDICAL EXAMINERS

By: David M. Wallace
David Wallace, M.D.
Board President

State of New Jersey

SUPERIOR COURT - MONMOUTH COUNTY
FILED



New Jersey Superior Court
Law Division - Criminal
Monmouth County

v.

FEB 24 1999

Defendant: JONATHAN B. SIEGEL
(Specify complete name)

Judgment of Conviction

Change of Judgment

Order for Commitment

Indictment/ Accusation Dismissed

Judgment of Acquittal

Date of Birth: 11/30/59	SBI Number:
Date of Arrest: 10/4/96	Date Indictment/Accusation Filed: 7/17/96
Date of Original Plea: 0	Original Plea: <input checked="" type="checkbox"/> Not Guilty <input type="checkbox"/> Guilty

Adjudication by. <input checked="" type="checkbox"/> Guilty Plea <input type="checkbox"/> Jury Trial	Date: 12/22/98 Date	<input type="checkbox"/> Non-Jury Trial <input type="checkbox"/> Dismissed / Acquitted	Date: Date:
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ORIGINAL CHARGES

IND / ACC NO	COUNT	DESCRIPTION	DEGREE	STATUTE
96-07-1112	1	CONSP.	3	2C:5-2; 2C:21-4.1; 2C:20-4
	2	ATT. THEFT.	3	2C:5-1; 2C:20-4
	3	THEFT BY DEC.	3	2C:20-4
	4	PURP. DESTRUCTION OF RECORDS	4	2C:21-4.1

FINAL CHARGES

COUNT	DESCRIPTION	DEGREE	STATUTE
2	ATT. THEFT (CONSOLIDATED WITH COUNT 2 OF 95-06-1067)	3	2C:5-1; 2C:20-4

It is therefore, on ~~2/19/99~~ 2/19/99 ORDERED and ADJUDGED that the defendant is sentenced as follows:

CT. 2, PROBATION 3 YEARS; OBTAIN/MAINTAIN FULL-TIME EMPLOYMENT FOLLOWING COMPLETION OF LAW SCHOOL; DEFENDANT TO SURRENDER HIS LICENSE TO PRACTICE PODIATRIC MEDICINE. RESTITUTION AS FOLLOWS: \$870.18 TO DIANA BOYCE-GERLACH, \$335 TO AETNA/US HEALTHCARE, \$1,900 TO PRUDENTIAL, \$11,752.60 TO BLUE CROSS/BLUE SHIELD, \$14,972.32 TO TIME/FORTIS INS, \$9,822.50 TO ITT HARTFORD INS.

CTS. 1,3 & 4 ARE DISMISSED.

- You are hereby sentenced to community supervision for life
- The court finds that your conduct was characterized by a pattern of repetitive and compulsive behavior

It is further ORDERED that the sheriff deliver the defendant to the appropriate correctional authority

<input type="checkbox"/> Defendant is to receive credit for time spent in custody (R. 3:21-B).	TOTAL NUMBER OF DAYS	DATE (From/To)
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<input type="checkbox"/> Defendant is to receive gap time credit for time spent in custody (N.J.S.A. 2C:44-5b(2))	TOTAL NUMBER OF DAYS	DATE (From/To)
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Total Custodial Term	Institution	Total Probation Term 3 YEARS
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Total FINE: a

Total RESTITUTION: \$39,652.50

If the offense occurred on or after December 23, 1991, an assessment of \$50 is imposed on each count on which the defendant was convicted unless the box below indicates a higher assessment pursuant to N.J.S.A. 2C:43-3.1 (Assessment is \$30 if offense is on or after January 9, 1986 but before December 23, 1991, unless a higher penalty is noted. Assessment is \$25 if offense is before January 9, 1986.)

(X) Assessment imposed on 1

count(s):

is \$ 50 each.

Total VCCB Assessment: \$ 50

(X) Installment payments due at the rate of \$ 500

per MONTH UNTIL 9/1/99 AND \$1,175 PER MONTH THEREAFTER,

beginning (date):

If any of the offenses occurred on or after July 9, 1987, and is for a violation of Chapter 35 or 36 of Title 2c,

1) A mandatory Drug Enforcement and Demand Reduction (D.E.D.R.) penalty is imposed for each count (Write in # times for each)

___ 1st Degree @ \$3000
___ 2nd Degree @ \$2000
___ 3rd Degree @ \$1000

___ 4th Degree @ \$750
___ Disorderly Persons or Petty Disorderly Persons at \$500

Total D.E.D.R. Penalty \$

() Court further ORDERS that collection of the D.E.D.R. penalty be suspended upon defendant's entry into a residential drug program for the term of the program.

2) A forensic laboratory fee of \$50 per offense is ORDERED
Offenses @ \$50 Total lab fees: \$

3) Name of Drugs involved:

4) A mandatory driver's license suspension of months is ORDERED.

The suspension shall begin today 2/19/99 and end

Driver's License Number:

(IF THE COURT IS UNABLE TO COLLECT THE LICENSE, PLEASE ALSO COMPLETE THE FOLLOWING.)

Defendant's address:

Eye color: Sex: Date of birth:

() The defendant is the holder of an out-of-state driver's license from the following jurisdiction:

Driver's License Number:

() Defendant's non-resident driving privileges are hereby revoked for months.

If the offense occurred on or after February 1, 1993 but was before March 13, 1995, and the sentence is to probation or to a State Correctional facility, a transaction fee of up to \$1.00 is ordered for each occasion when a payment or installment payment is made. (P.L. 1992, c. 169). If the offense occurred on or after March 13, 1995 and the sentence is to probation, or the sentence otherwise requires payments of financial obligations to the probation division, a transaction fee of up to \$2.00 is ordered for each occasion when a payment is made. (P.L. 1995, c. 9).

If the offense occurred on or after August 2, 1993, a \$75 Safe Neighborhood Services Fund assessment is ordered for each conviction. (P.L. 1993, c. 220) \$ 75

If the offense occurred on or after January 5, 1994 and the sentence is to probation, a fee of up to \$25 per month for the probationary term is ordered. (P.L. 1993, c. 275)
Amount per month: \$25

If the crime occurred on or after January 9, 1997, a \$30 Law Enforcement Officers Training and Equipment Fund penalty is ordered.

Name (Court clerk or Person preparing this form):
BONNIE KENNEDY-SINACORE, CRIM. DIV. MGR.

Telephone number:
431-7480

Name (Attorney for Defendant at Sentencing):
ROBERT A. WEIR, JR., ESQ.

STATEMENT OF REASONS - Include all applicable aggravating and mitigating factors.

THE AGGRAVATING FACTOR IS THE NEED FOR DETERRING THE DEFENDANT AND OTHERS FROM VIOLATING THE LAW THE MITIGATING FACTORS ARE THE DEFENDANT HAS COMPENSATED OR WILL COMPENSATE THE VICTIM OF HIS CONDUCT FOR THE DAMAGE OR INJURY THAT HE SUSTAINED, THE DEFENDANT HAS NO HISTORY OF PRIOR DELINQUENCY OR CRIMINAL ACTIVITY OR HAS LIVED A LAW-ABIDING LIFE FOR A SUBSTANTIAL PERIOD OF TIME BEFORE THE COMMISSION OF THE PRESENT OFFENSE. THE DEFENDANT IS PARTICULARLY LIKELY TO RESPOND AFFIRMATIVELY TO PROBATIONARY TREATMENT, AND THE IMPRISONMENT OF THE DEFENDANT WOULD entail EXCESSIVE HARDSHIP TO HIMSELF OR HIS DEPENDENTS. THIS WAS AN INSURANCE FRAUD COMMITTED BY A LICENSED PROFESSIONAL PODIATRIST. DEFENDANT IS SURRENDERING HIS LICENSE AND HAS AGREED TO PAY RESTITUTION. THE FRAUD AMOUNT WAS NOT INSIGNIFICANT. LOSS OF HIS LICENSE TO PRACTICE MEDICINE, A CRIMINAL RECORD AND PROBATION WITH RESTITUTION ARE APPROPRIATE SANCTIONS FOR THIS DEFENDANT'S FRAUD. THE MITIGATING FACTORS OUTWEIGH THE AGGRAVATING THIS IS A THIRD DEGREE OFFENSE AND THERE IS NON-CUSTODIAL PRESUMPTION.

JUDGE (Name):

PAUL F. CHAIET, J.S.C.

JUDGE (Signature)

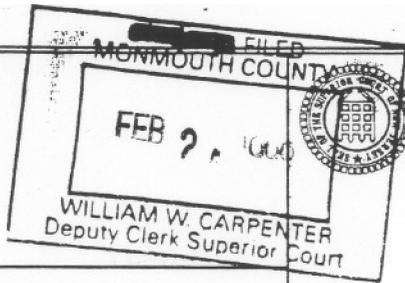
Paul F. Chaiet

DATE

2/19/99

State of New Jersey

v.



New Jersey Superior Court
Law Division - Criminal
Monmouth County

Defendant: JONATHAN SIEGEL
(Specify complete name)

Date of Birth: 5/27/54	SBI Number:
Date of Arrest:	Date Indictment/Accusation Filed: 6/26/95
Date of Original Plea: 9/6/95	Original Plea: <input checked="" type="checkbox"/> Not Guilty <input type="checkbox"/> Guilty

- Judgment of Conviction
- Change of Judgment
- Order for Commitment
- Indictment/ Accusation Dismissed
- Judgment of Acquittal

Adjudication by: <input type="checkbox"/> Guilty Plea <input type="checkbox"/> Jury Trial	Date: _____	<input type="checkbox"/> Non-Jury Trial <input checked="" type="checkbox"/> Dismissed / Acquitted	Date: 2/19/99
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ORIGINAL CHARGES

IND / ACC NO.	COUNT	DESCRIPTION	DEGREE	STATUTE
95-06-1067	1	CONSP	3	2C 5-2; 2c 21-4 t. 2C:20-4
	2	ATT THEFT	3	2C:5-1; 2C:20-4
	3	THEFT BY DEC.	3	2C 20.4
	4	PURP. DESTRUCTION OF RECORDS	4	2C 21 4 1

FINAL CHARGES

COUNT	DESCRIPTION	DEGREE	STATUTE
it is therefore, on 2/19/99 ORDERED and ADJUDGED that the defendant is sentenced as follows:			

- You are hereby sentenced to community supervision for life.
- The court finds that your conduct was characterized by a pattern of repetitive and compulsive behavior.
- It is further ORDERED that the sheriff deliver the defendant to the appropriate correctional authority.

<input type="checkbox"/> Defendant is to receive credit for time spent in custody (R 321-8)	TOTAL NUMBER OF DAYS	DATE (From/To)
<input type="checkbox"/> Defendant is to receive gap time credit for time spent in custody (N.J.S.A. 2C 44-5b(2))	TOTAL NUMBER OF DAYS	DATE (From/To)

Total Custodial Term	Institution	Total Probation Term
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Total FINE: \$
Total RESTITUTION: \$
Total RESTITUTION: \$

If any of the offenses occurred on or after July 9, 1987, and is for a violation of Chapter 35 or 36 of Title 2c.

1) A mandatory Drug Enforcement and Demand Reduction (D.E.D.R.) penalty is imposed for each count (Write in # times for each)

If the offense occurred on or after December 23, 1991, an assessment of \$50 is imposed on each count on which the defendant was convicted unless the box below indicates a higher assessment pursuant to N.J.S.A. 2C 43-3.1 (Assessment is \$30 if offense is on or after January 9, 1986 but before December 23, 1991, unless a higher penalty is noted. Assessment is \$25 if offense is before January 9, 1986.)

___ 1st Degree @ \$3000
___ 2nd Degree @ \$2000
___ 3rd Degree @ \$1000

___ 4th Degree @ \$750
___ Disorderly Persons or Petty Disorderly Persons at \$500

Total D.E.D.R. Penalty \$

() Assessment imposed on
count(s):
is \$ 50 each.

() Court further ORDERS that collection of the D.E.D.R. penalty be suspended upon defendant's entry into a residential drug program for the term of the program

2) A forensic laboratory fee of \$50 per offense is ORDERED
Offenses @ \$50 Total lab fees: \$

3) Name of Drugs involved:

Total VCCE Assessment: \$

4) A mandatory driver's license suspension of months is ORDERED

The suspension shall begin May 2/19/99 and end

() Installment payments due at the rate of \$
per MONTH
beginning (date)

Driver's License Number

(IF THE COURT IS UNABLE TO COLLECT THE LICENSE, PLEASE ALSO COMPLETE THE FOLLOWING)

Defendant's address

Eye color

Sex:

Date of birth:

() The defendant is the holder of an out-of-state driver's license from the following jurisdiction:

Driver's License Number:

() Defendant's non-resident driving privileges are hereby revoked for months

If the offense occurred on or after February 1, 1993 but was before March 13, 1995, and the sentence is to probation or to a State Correctional facility, a transaction fee of up to \$1.00 is ordered for each occasion when a payment or installment payment is made. (P.L. 1992, c. 169). If the offense occurred on or after March 13, 1995 and the sentence is to probation, or the sentence otherwise requires payments of financial obligations to the probation division, a transaction fee of up to \$2.00 is ordered for each occasion when a payment is made. (P.L. 1995, c. 9).

If the offense occurred on or after August 2, 1993, a \$75 Safe Neighborhood Services Fund assessment is ordered for each conviction. (P.L. 1993, c. 220) \$

If the offense occurred on or after January 5, 1994 and the sentence is to probation, a fee of up to \$25 per month for the probationary term is ordered (P.L. 1993, c. 275)
Amount per month: \$

If the crime occurred on or after January 9, 1997, a \$30 Law Enforcement Officers Training and Equipment Fund penalty is ordered

Name (Court clerk or Person preparing this form):
BONNIE KENNEDY-SINAGORE, CRIM DIV MGR.

Telephone number:
431-7480

Name (Attorney for Defendant at Sentencing):
CHARLES MORIARTY, ESQ.

STATEMENT OF REASONS - Include all applicable aggravating and mitigating factors.

COUNTS 1, 3 & 4 ARE DISMISSED AT SENTENCING ON INDICTMENT 96-07-11 12 COUNT 2 WAS CONSOLIDATED WITH COUNT 3 OF 96-07-1112.

JUDGE (Name):
PAUL F. CHAIET, J.S.C.

JUDGE (Signature):
Paul F. Chalet

DATE
2/19/99