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JANUARY 24, 2004
NEW JERSEY STATE BOARD
OF MEDICAL EXAMINERS

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 :

Daniel J. Zimmerman, M.D.
License No.:MA04234200

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

Administrative Action

CONSENT ORDER
OF RESTRICTED LICENSURE

This matter was opened to the New Jersey State Board of Medical Examiners upon receipt of information that respondent had been indicted for violation of N.J.S.A 24:21-21A(4) which is a third degree crime in the State of New Jersey. Additional investigative materials developed by the Enforcement Bureau of the Division of Consumer Affairs in cooperation with the Drug Enforcement Administration revealed that the charges arose from a DEA investigation into large amounts of controlled dangerous substances purportedly delivered to Respondent at his residence over a two year period ending in August of 1997. Respondent, accompanied by his attorney, appeared and testified before a Committee of the Board. At that time, the doctor apprized the

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Committee of his desire to voluntarily surrender his licensure privileges and advised the Committee that he had been accepted into the Pre-trial Intervention Program.

A Consent Order of Voluntary Surrender was subsequently filed on June 25, 1999 whereby Respondent was granted leave to voluntarily surrender his license without prejudice to re-application. The Consent Order also outlined specific requirements that Respondent had to fulfill before his license could be reinstated.

On or about October 29, 2003, Respondent appeared before a Committee of the Board of Medical Examiners to petition for the reinstatement of his license so that he could undertake a part time position under the supervision of Dr. Charles Grabiak. Respondent testified that previous to entering into the 1999 Consent Order, he was being treated for depression and he had an atypical response to peroxitine. He self medicated with alcohol and collateral medication. Respondent entered into rehabilitation at the Defali Center in August 2000 and then transferred to Marworth and finally to a half way house in Florida. Respondent continues to meet with the PHP once a month and has been in continuous recovery since May 2001. The PHP supports Dr. Zimmerman's return to practice with restrictions.

Respondent also apprized the Committee that he had amassed over 200 hours of CME during the period of his surrender and that he successfully completed his PTI program.

The Board having considered the Dr. Zimmerman's 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 13th day of Jan, , 2004

ORDERED that:

1. The license previously issued to Respondent Daniel J. Zimmerman, M.D. is hereby restored effective immediately.

2. Respondent shall practice absolute abstinence from alcohol and all psychoactive substances unless prescribed by a treating physician for a documented medical condition.

3. Dr. Zimmerman 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 with twenty-four hours of a request (absent a legitimate excuse acceptable to the PHP) will be deemed to be equivalent to a confirmed positive urine test.

4. Dr. Zimmerman shall be employed for a total of no more than 20 hours per week and only under the supervision of Charles Grabiak, M.D.. He shall take no other 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. Grabiak signs this Order agreeing to submit quarterly reports to the Board and to report any abnormal or impaired behavior to the Board of Medical Examiners.

5. Dr. Zimmerman shall continue to attend support groups at the frequency of no less than three times per week and shall provide evidence of attendance at such groups directly to the PHP. Dr. Zimmerman 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.

6. Dr. Zimmerman shall participate in and attend monthly face- to- face follow-up meetings with the PHP to help assess his emotional well being and addiction recovery.

7. The PHP shall submit quarterly reports to the Board regarding Dr. Zimmerman's compliance with and participation in the treatment plan outlined for him and shall notify the Medical Director of the Board of Medical Examiners immediately 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. Zimmerman.

8. Dr. Zimmerman shall follow-up with a psychiatrist approved by the medical director of the Board of Medical Examiners at a frequency to be determined by the psychiatrist.

9. After a period of one year, Dr. Zimmerman may petition the Board for relaxation of these restrictions.

NEW JERSEY STATE BOARD OF MEDICAL EXAMINERS

BY: _____
David Wallace, M.D.
President

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

_____
Daniel J. Zimmerman, M.D.

Consent as to form:

_____
Louis Baxter, M.D.
Medical Director
Physicians' Health Program

_____
Charles Grabiak, M.D.
Supervisor/Employer