

FILED

June 2, 2004

**NEW JERSEY STATE BOARD
OF MEDICAL EXAMINERS**

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

IN THE MATTER OF THE LICENSE OF

RAFEAK MUHAMMAD, M.D.

License No. MA43140

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

Administrative Action

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, Rafeak Muhammad, M.D., License No. MA43140, is a physician licensed in the State of New Jersey and has been licensed at all times relevant hereto.

2. On or about November 26, 2003, the State of New York, Department of Health, State Board for Professional Medical Conduct ("New York Board") filed a Consent Agreement and Order whereby Respondent agreed not to contest the factual allegations contained in paragraphs A through C and their subparagraphs in the Statement of Charges filed by the New York Board which constituted a charge of professional misconduct. Specifically, the New York Board alleged that Respondent's treatment of Patients A, B, and C deviated from accepted medical standards. Pursuant to the Consent

CERTIFIED TRUE COPY

Agreement and Order Respondent is subject to a censure and reprimand and placed on probation for a period of **three (3) years**. Respondent's license to practice medicine is limited to preclude Respondent from treating patients seeking participation in the Workers' Compensation program.

CONCLUSION OF LAW

1. The above disciplinary action taken by the sister state of New York provides ground 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(e) in that Respondent has engaged in professional misconduct.

DISCUSSION

Based on the foregoing findings and conclusions, a Provisional Order of Discipline reprimanding respondent and placing respondent's license to practice medicine and surgery in the State of New Jersey on probation for a period of **three (3) years**, such period to be concurrent with the three (3) year period of compliance set forth in the Consent Agreement and Order filed by the State of New York, Department of Health, State Board for Professional Medical Conduct, was entered on March 16, 2004 and a copy was forwarded to respondent's last known address by means of both regular and certified mail. 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 stated 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 upon respondent, the Board having received the signed return receipt card, no response has been received to date. Accordingly the Board considered the matter, determined that further proceedings were not necessary and Provisional Order should be made final.

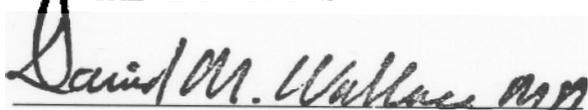
ACCORDINGLY, IT IS on this 2nd day of June, 2004,
ORDERED AND AGREED THAT:

1. Respondent shall be and hereby is reprimanded by the New Jersey State Board of Medical Examiners.

2. Respondent's license to practice medicine and surgery in the state of New Jersey shall be and hereby is placed on probation for a period of three (3) years, such period of probation shall be concurrent with the three (3) year period of compliance set forth in the Consent Agreement and Order filed by the State of New York, Department of Health, State Board for Professional Medical Conduct.

NEW JERSEY STATE BOARD OF
MEDICAL EXAMINERS

BY



David M. Wallace, M.D.
Board President