

**FILED**

June 2, 2004

**NEW JERSEY STATE BOARD  
OF MEDICAL EXAMINERS**

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

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IN THE **MATTER OF THE LICENSE OF**

VINOD SHARMA, M.D.  
License No. MA51100

Administrative Action

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

**FINAL ORDER  
OF DISCIPLINE**

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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, Vinod Sharma, M.D., is the holder of License No. MA51100. The status of Respondent's licence to practice medicine in the State of New Jersey is currently inactive.

2. On or about February 12, 2003, Respondent's license to practice medicine in the State of Michigan was suspended for a period of six (6) months and a day by the Michigan Board of Medicine Disciplinary Subcommittee based upon grounds of incompetency, moral unfitness, sexual misconduct, negligence and prescribing for non-therapeutic purposes in the treatment of an undercover agent and several patients. Pursuant to the Consent

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Order Respondent's license to practice medicine will not be reinstated by the Michigan Board until he can establish by clear and convincing evidence that he is of good moral character, is able to practice the profession with reasonable skill and safety, and that it is in the public interest for the license to be reinstated.

CONCLUSION OF LAW

1. The above disciplinary action taken by the sister state of Michigan 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(g) in that Respondent's license to practice medicine has been suspended in another state.

2. The above disciplinary action taken by the sister state of Michigan also 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(h) in that Respondent has violated or failed to comply with the N.J.S.A. 45:9-6 and N.J.A.C. 13:35-6.3.

3. The above disciplinary action taken by the sister state of Michigan 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(i) in that Respondent is incapable, for medical or any other good cause, of discharging the functions of a licensee in a manner consistent with the public's health, safety and welfare and N.J.S.A. 45:1-21(m) in that Respondent has

prescribed or dispensed controlled dangerous substances indiscriminately or without good cause.

#### DISCUSSION

Based on the foregoing findings and conclusions, a Provisional Order of Discipline suspending respondent's license to practice medicine and surgery in the State of New Jersey until such time as his license to practice medicine in Michigan is reinstated,, was entered on January 15, 2004, and a copy served on respondent. The Provisional Order was subject to finalization by the Board at 5:00 p.m. on the 30<sup>th</sup> 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.

In response to the Provisional Order, respondent submitted a written correspondence dated February 9, 2004, for the Board's review. In his correspondence, respondent essentially concurred with the Findings of Fact and Conclusions of Law but asserted that since his New Jersey license is currently inactive and he does not have any immediate plans to practice in New Jersey, there exists no public threat and he requested that the Board desist to finalize

any disciplinary<sup>\*</sup> action. Respondent further objected to the Board's finding of grounds to take disciplinary action against his license pursuant to N.J.S.A. 45:1-21(c). Respondent stated that he has been undergoing extensive psychiatric treatment and therapy since April 24, 2001 and will be applying for the removal of his Michigan suspension. He requested that the Board delay imposing final disciplinary action until the state of Michigan makes its final determination. In the alternative, Respondent recognized the Board's power to issue a Final Order but reserved his right to a formal evidentiary hearing should he decide to apply in New Jersey.

Respondent's submissions were reviewed by the Board, and the Board determined that further proceedings were not necessary and that no material discrepancies had been raised. The Board was not persuaded that the submitted materials merited further consideration, as respondent did not dispute the Findings of Fact or Conclusions of Law. The Board, however, did determine that it would be appropriate to withdraw its Conclusion of Law, set in Paragraph One of the Provisional Order of Discipline, that the disciplinary action taken by Michigan 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(c).

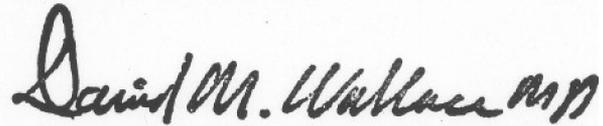
ACCORDINGLY, IT IS OR this 2nd day of June, 2004,  
ORDERED AND AGREED THAT:

2. Respondent's license to practice medicine and surgery in the State of New Jersey is suspended until such time as his license to practice medicine in Michigan is reinstated.

2. Prior to resuming active practice in New Jersey, Respondent shall be required to appear before the Board or a committee thereof to demonstrate fitness to resume practice, to show that he has satisfied all requirements of any Michigan disposition and any practice in this State prior to said appearance shall constitute grounds for the charge of unlicensed practice. In addition, the Board reserves the right to place restrictions on Respondent's practice should his license be reinstated.

NEW JERSEY STATE BOARD OF  
MEDICAL EXAMINERS

BY



David M. Wallace, M.D.  
Board President