

PETER C. HARVEY
ATTORNEY GENERAL OF NEW JERSEY
Division of Law - 5th Fl.
124 Halsey Street
P.O. Box 45029
Newark, New Jersey 07101

FILED

MAY 18, 2005

**NEW JERSEY STATE BOARD
OF MEDICAL EXAMINERS**

By: Hakima Bey
Deputy Attorney General
Tel: (973) 648-2478

STATE OF NEW JERSEY
DEPARTMENT OF LAW & PUBLIC SAFETY
DIVISION OF CONSUMER AFFAIRS
BOARD OF MEDICAL EXAMINERS
OAL DOCKET NO.

IN THE MATTER OF THE LICENSE OF

ROSE RAPORT, M.D.
LICENSE NO. MA 034368

TO PRACTICE MEDICINE AND SURGERY
IN THE STATE OF NEW JERSEY

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: Administrative Action
: CONSENT ORDER
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This matter was opened to the New Jersey State Board of Medical Examiners (hereinafter the "Board") upon receipt of information from New Jersey Manufacturers Insurance Group (NJM) which alleged that Rose Raport, M.D., (hereinafter the "Respondent") permitted unlicensed medical assistants to administer physical therapy treatments including electrical stimulation, ultrasound and therapeutic massages on patient J.M. in her medical office. The Respondent appeared with counsel, Jay S. MacNeil, Esq., and testified before the North Jersey Preliminary Evaluation Committee of the Board (hereinafter "the Committee") on January 30,

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2002, and appeared with counsel Anthony Labue, Esq. and testified before the Committee on September 3, 2003. During the Respondent's appearance before the Committee on September 3, 2003, Respondent acknowledged that she permitted her medical assistants to apply cold packs but denied that she allowed any employee in her office to perform therapeutic massages, ultrasounds, or electrical stimulation on any patient.

After reviewing the record in this matter, the Board finds that the Respondent allowed an unlicensed medical assistant in her office to administer physical therapy modalities on patient J.M. Respondent's conduct demonstrates a violation of N.J.A.C 13:35-6.14, thus demonstrating a failure to comply with a regulation administered by the Board in violation of N.J.S.A 45:1-21(h).

Respondent being desirous of resolving this matter without further formal proceedings and the Board finding the within Order adequately protective of the public health, safety and welfare, and for good cause having been shown:

IT IS on this 13 day of May, 2005

ORDERED AND AGREED:

1. Respondent, Rose Raport, is hereby reprimanded for the conduct described herein.

2. Respondent agrees to limitations being placed upon her medical license which shall limit her medical practice to performing hospital consultations, EMG's in the hospital

or in the office of another physician, and preauthorization medical reviews only, until further order of the Board.

3. Respondent shall pay civil penalties in the amount of \$2,500.

4. Respondent shall pay investigative costs in the amount of \$403.40.

5. Said civil penalties and costs shall be memorialized in a Certificate of Debt duly recorded in the State of New Jersey, and paid by Respondent in eighteen (18) monthly installments of one hundred sixty two dollars and fifty eight cents (\$162.58), including the statutory interest rate of one percent (1.0%), pursuant to the provisions of R. 4:42-11 and shall be paid on or before the thirtieth (30th) day of each month, commencing January 30, 2005 and ending no later than June 30, 2006. The total amount to be paid by the Respondent under the terms of this Order is \$2,926.44, which includes interest in the amount of \$23.04. Any failure by the Respondent to make payments under the terms of this Order shall accelerate the Respondent's total debt to the Board, and shall, itself, constitute professional misconduct pursuant to N.J.S.A. 45:1-21(e), thereby subjecting the Respondent to any and all remedies available to the Board pursuant to N.J.S.A. 45:1-21 and 22.

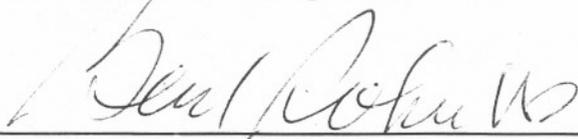
6. Said payments for civil penalties and costs shall be made by certified check or money order and made payable to the Board of

Medical Examiners and shall be submitted to William Roeder, Executive Director of the Board of Medical Examiners, P.O. Box 183, Trenton, New Jersey 08625-0183.

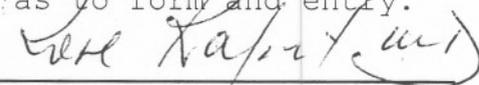
7. Respondent shall, within the next six months following entry of this Order, take and successfully complete an ethics course approved in advance by the Board. Successful completion means that all sessions were attended, all assignments were properly and appropriately completed, and a passing grade was achieved which was unconditional and without reservations.

8. Respondent shall complete 100 hours of community service in a non-medical activity (the Respondent shall obtain prior approval of the Board) within the next eighteen months of entry of the within Order and shall submit proof of completion.

By: _____


Dr. Bernard Robins, M.D., F.A.C.P.
President

I have read and understood the within Order and agree to be bound by its contents. Consented to as to form and entry.


Rose Raport, M.D.
Respondent

Consented to as to form and entry


Charles Ira Epstein, Esq.