

FILED

APRIL 19, 2006

**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:

MALSUK PARK, D.O.

CONSENT ORDER

This matter was opened before the New Jersey State Board of Medical Examiners (the "Board") upon the Board's receipt of a report from the Medical Practitioner Review Panel (the "Panel") setting forth findings and recommendations made by the Panel at the conclusion of an investigation of respondent Malsuk Park, M.D. The Panel's report details that investigation was commenced upon receipt of a report from Robert Wood Johnson University Hospital at Rahway ("RWJ") which informed the Panel that Dr. Park's clinical privileges at RWJ had been terminated on March 31, 2005, after RWJ found that respondent "altered the medical record of an emergency center patient and then attempted to cover-up the alteration." The Panel thereafter reviewed documents provided by RWJ concerning the hospital's investigation of respondent's conduct, to include without limitation the emergency room record for patient W.L. The Panel was provided with a copy of said record which was made at approximately 5:00 p.m on March 28, 2005, and a copy that was made on March 29, 2005. The Panel additionally considered testimony that was offered by respondent when she appeared before the Panel on January 23, 2006, represented by Richard Tanner, Esq.

Upon review of available information, the Panel found that respondent worked a 7:00 a.m. to 4:00 p.m. shift in the emergency room at RWJ on March 28, 2005, and then provided care to W.L., an 80 year old male who presented with a G.I. bleed. Respondent then made entries in the hospital chart for W.L., to include an entry in the physician's "order sheet" at 3:10 p.m. on March 28, 2005 which did not include an order for a blood transfusion.

The following morning (March 29, 2005), respondent learned when she arrived at the hospital that W.L. had died at approximately 10:00 p.m. on March 28, 2005. Respondent then retrieved the hospital record for W.L., and she then added an order for a blood transfusion to the entry she had made at 3:10 p.m. on March 28, 2005. Respondent did not date or initial the addition she made to the record, so that it would appear to one reading the record that her entry for the blood transfusion had been written at 3:10 p.m. on March 28, rather than having been added to the record the following morning.

When appearing before the Panel, respondent claimed that she had given the order for a blood transfusion verbally to the nurse with whom she was working on March 28, 2005, and claimed that she added the order to the chart the following morning in order to memorialize that she had given the order to the nurse. Respondent conceded that she made the addition to the record the following morning only after learning that the patient had expired, and also conceded that she had not been candid about her conduct when she was questioned about the discrepancy in the record by representatives of RWJ. The Panel's report further details that the evidence that

respondent altered the record of W.L. is conclusive, as a copy of the record for W.L. had been made after respondent left the hospital on March 28, 2005, which copy did not include the order for a transfusion in Dr. Park's 3:10 p.m. orders, and a copy of the record as it was later altered by respondent (i.e., including an order for a blood transfusion in Dr. Park's 3:10 p.m. orders) was also made and maintained by RWJ.

The Panel found that respondent altered the medical chart of Patient W.L. by adding an entry to the chart the day after W.L. expired, and that she thereafter acted in a deceitful manner when she was confronted by officials at RWJ about the chart alteration, in an attempt to cover-up her alteration of the record. The Board has reviewed the findings of the Panel, and adopts those findings in their entirety. The Board concludes that respondent's conduct constitutes grounds for disciplinary action against respondent pursuant to N.J.S.A. 45:1-21(b) (providing that disciplinary action may be taken against a licensee who engages in the use or employment of dishonesty, fraud, deception or misrepresentation) and 45:1-21(h) (providing that disciplinary action may be taken against a licensee who violates or fails to comply with the provisions of any act or regulation administered by the board).

Respondent desiring to avoid the need for further hearings in this matter, and the Board being satisfied that the within resolution of this matter both adequately redresses the misconduct which respondent engaged in and is in the public interest, and for good cause shown,

IT IS on this 19TH day of APRIL , 2006

ORDERED and AGREED:

1. Respondent Malsuk Park, M.D., is hereby formally reprimanded for having altered the emergency room record of patient W.L. in the manner detailed above.

2. Respondent shall be required to attend and successfully complete an ethics course acceptable to the Board within six months of the date of entry of this Order. Respondent shall be required to ensure that the provider of the ethics course submits documentation to the Board detailing respondent's attendance at and successful completion of said ethics course.

3. Respondent is hereby assessed a civil penalty in the amount of \$2,500, which penalty shall be payed in full upon entry of this Order.

NEW JERSEY STATE BOARD
OF MEDICAL EXAMINERS

By: Sindy M. Paul, MD
Sindy M. Paul, M.D.
Board President

I hereby agree to be bound by all terms and conditions of this Order. I consent to the entry of this Order by the Board of Medical Examiners.

Malsuk Park, D.O.
Malsuk Park, D.O.