

STUART RABNER
ATTORNEY GENERAL OF NEW JERSEY
Division of Law, Fifth Floor
124 Halsey Street
P.O. Box 45029
Newark, New Jersey 07101

FILED

December 29, 2006

**NEW JERSEY STATE BOARD
OF MEDICAL EXAMINERS**

By: Tara Adams Ragone
Deputy Attorney General
(973) 648-7093

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

<u>IN THE MATTER OF THE SUSPENSION OR</u>	:	<u>Administrative Action</u>
<u>REVOCAION OF THE LICENSE OF:</u>	:	
	:	
PEDRO P. GONZALEZ, M.D.	:	CONSENT ORDER
License No. MA42992	:	
	:	
<u>TO PRACTICE MEDICINE AND SURGERY</u>	:	
<u>IN THE STATE OF NEW JERSEY</u>	:	

This matter was opened to the State Board of Medical Examiners (the "Board") upon receipt of a complaint alleging that Pedro P. Gonzalez, M.D ("Dr. Gonzalez") had committed a boundary violation with respect to patient N.K. On June 28, 2006, Dr. Gonzalez appeared with counsel before the Preliminary Evaluation Committee of the Board to discuss this matter. The issue of Dr. Gonzalez's outstanding obligations concerning continuing medical education ("CME") credits also was discussed.

Having reviewed the entire record, including the Board's file and the testimony of Dr. Gonzalez at the investigative inquiry, it appears to the Board that there is a basis for disciplinary action against Dr. Gonzalez. In particular, the Board finds that Dr.

CERTIFIED TRUE COPY

Gonzalez engaged in professional misconduct by committing a boundary violation with respect to patient N.K. and thus is subject to discipline pursuant to N.J.S.A. 45:1-21(e). The Board also finds it necessary for Dr. Gonzalez to complete outstanding CME credits.

The parties, having agreed to the resolution of this matter without further formal proceedings, and Dr. Gonzalez having agreed and given his voluntary consent to the within Order, and the Board finding that the within disposition is adequately protective of the public health, safety and welfare, and other good cause having been shown,

IT IS, therefore on this 6th day of December, 2006

HEREBY ORDERED AND AGREED THAT:

1. Pedro P. Gonzalez, M.D. be and hereby is reprimanded for engaging in a boundary violation constituting professional misconduct in violation of N.J.S.A. 45:1-21(e).
2. Dr. Gonzalez's license to practice medicine and surgery in the State of New Jersey shall be and hereby is suspended for a period of two (2) years, effective upon entry of this Order. The first six (6) months of said suspension shall be served as a period of active suspension ("Active Suspension"), with the remaining eighteen (18) months, assuming compliance with the

remaining terms of this Order as set forth infra, stayed and served as a period of probation ("Probationary Period").

3. Dr. Gonzalez shall submit to a mental health evaluation, at his sole expense, by an appropriate medical specialist approved in advance by the Board's Medical Director ("Board-Approved Evaluator") and hereby agrees to comply with any and all treatment recommendations resulting therefrom. Dr. Gonzalez hereby authorizes the Board-Approved Evaluator to provide copies of any reports generated as a result of the evaluation to the Board's Medical Director and the assigned Deputy Attorney General. Dr. Gonzalez further hereby authorizes the release to the Board and the assigned Deputy Attorney General of his treatment records in connection with (a) this evaluation and (b) any and all recommended treatment resulting from this evaluation.
4. Dr. Gonzalez shall take and successfully complete, at his sole expense, a course in boundary violations, which course has been approved in advance by the Board's Director of Medical Education. Successful completion means that all sessions were attended, all assignments were properly and appropriately completed, and a passing

grade was achieved that was unconditional and without reservation.

5. Dr. Gonzalez shall take and successfully complete, at his sole expense, two CME courses, which courses have been approved in advance by the Board's Director of Medical Education. Successful completion means that all sessions were attended, all assignments were properly and appropriately completed, and a passing grade was achieved that was unconditional and without reservation. These two (2) courses are in addition to (a) the CME credits all licensed physicians must complete in each biennial renewal period pursuant to N.J.A.C. 13:35-6.15, and (b) the boundary violations course described in Paragraph 4 supra.
6. Dr. Gonzalez shall complete the Internal Medicine and Mechanisms of Disease multiple choice exam administered by the Institute for Physician Evaluation ("IPE") (or by the Medical Review & Accrediting Council, Inc. ("MRAC"), if IPE is no longer operational). The results of said tests then will be provided to (a) MRAC, for its review and recommendations; (b) the Board's Director of Medical Education; and (c) the assigned Deputy Attorney General. MRAC will provide its analysis and recommendations of the test results to the Board and the assigned Deputy

Attorney General. The Board will pay the costs of the testing; Dr. Gonzalez shall pay the costs of any travel or lodging that he incurs in connection with this testing.

7. Upon completion of the six (6) month period of Active Suspension, Dr. Gonzalez may apply for reinstatement of his license on a probationary basis. The Probationary Period shall not commence unless all of the following have been satisfied:

- a. Dr. Gonzalez has completed the evaluation described in Paragraph 3 supra and is actively participating in or has successfully completed any and all treatment recommended by the Board-Approved Evaluator. To this end, Dr. Gonzalez shall authorize the Board-Approved Evaluator to send a report to the Board's Medical Director and the assigned Deputy Attorney General detailing, inter alia, the date(s) of the evaluation; any and all diagnoses; any and all treatment recommendations; whether and to what extent Dr. Gonzalez has engaged in and/or continues to engage in the recommended treatment; and the name of the treating professional, if different from the Board-Approved Evaluator.

- b. Dr. Gonzalez has provided proof of completion of and an unconditional passing grade in (i) the boundary violations course set forth in Paragraph 4 supra and (ii) the two (2) CME courses set forth in Paragraph 5 supra to the Board's Director of Medical Education, c/o the New Jersey State Board of Medical Examiners, P.O. Box 183, Trenton, New Jersey 08625-0183.
- c. Dr. Gonzalez has provided proof that he passed the IPE testing described in Paragraph 6 supra without reservation by MRAC. In the event he does not do so, Dr. Gonzalez must participate, as a term of his Probationary Period and at his sole expense, in a preceptor program with MRAC. Pursuant to said preceptorship, MRAC will provide Dr. Gonzalez with eighteen (18) monthly assignments that Dr. Gonzalez would be required to return for review by and additional feedback from the MRAC preceptor. Dr. Gonzalez hereby releases MRAC to provide periodic reports to the Board's Director of Medical Education concerning Dr. Gonzalez's progress in this preceptorship.
- d. Before Dr. Gonzalez may commence the Probationary Period, the Board reserves the right to require Dr.

Gonzalez to appear before a Committee of the Board to demonstrate his satisfaction of the terms of this Order and to impose any further limitations on his practice during the Probationary Period that it deems necessary based on the reports received from all evaluators referenced in this Order.

8. Dr. Gonzalez shall pay the costs of investigation in this matter in the amount of \$8,832.72, to be remitted contemporaneously with his submission of this Order. Payment shall be submitted by certified check or money order made payable to the State of New Jersey and shall be sent to the New Jersey State Board of Medical Examiners, P.O. Box 183, Trenton, New Jersey 08625-0183 no later than thirty (30) days from the entry of this Order. The Board reserves the right to file a certificate of debt in the event payment in full is not received.
9. Dr. Gonzalez shall return his original New Jersey license, any biennial registration cards in his possession, and his original State CDS registration to William Roeder, Executive Director, New Jersey State Board of Medical Examiners, 140 E. Front Street, Post Office Box 183, Trenton, New Jersey 08625-0183, upon his receipt of a filed copy of this Order.

- 10. Dr. Gonzalez shall immediately notify the Drug Enforcement Administration of the entry of the within Order.
- 11. Dr. Gonzalez shall comply with the attached "Directives Applicable to Any Medical Board Licensee Who Is Disciplined or Whose Surrender of Licensure Has Been Accepted," which Directives are incorporated herein by reference.

NEW JERSEY STATE BOARD OF MEDICAL EXAMINERS

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

I have read and have understood the foregoing Consent Order and agree to be bound by its terms.

Pedro P. Gonzalez M.D.
 Pedro P. Gonzalez, M.D.

11/17/06
 Date

Consented to as to form.

Robert J. Conroy, Esq.
 Robert J. Conroy, Esq.

11/20/06
 Date