

FILED

JANUARY 2, 2007

**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:

BERNARD H. BARANEK-ADLER, M.D.

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") detailing findings made by the Panel upon the completion of an investigation of the practice of respondent Bernard H. Baranek-Adler, M.D. The Panel's investigation was commenced upon the Panel's receipt of a report detailing that a payment of \$200,000 was made on behalf of respondent in a civil malpractice action brought by the estate of patient J.T. wherein it was alleged that respondent failed to appropriately diagnose and treat dehydration prior to the hospital admission and subsequent death of a 14 year old girl as a result of diabetic ketoacidosis and complications arising therefrom.

Upon review of all available information, to include respondent's office record and testimony offered by respondent when he appeared before the Panel on June 18, 2005, represented by Robert J. Conroy, Esq., the Board finds that respondent failed to maintain patient records for patient J.T. in a manner consistent

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with the requirements of N.J.A.C. 13:35-6.5(b), which violation constitutes basis for disciplinary action pursuant to N.J.S.A. 45:1-21(h). Without limitation, the Board found that respondent maintained illegible records that failed to document vital signs and pertinent findings that he made upon physical examination, failed to include an adequate history and failed to document a diagnosis or medical impression.

The parties desiring to amicably resolve this matter without further administrative proceedings, and the Board being satisfied that the resolution herein is adequately protective of the public interest and that good cause for the entry of this Order exists,

IT IS on this *28th* day of *December*, 2006

ORDERED and AGREED:

1. Respondent Bernard Baranek-Adler, M.D. is hereby formally reprimanded for having violated N.J.A.C. 13:35-6.5 by having failed to prepare medical records for patient J.T. in a manner consistent with the requirements of said regulation.

2. Respondent is hereby assessed a civil penalty in the amount of \$5,000, which penalty shall be payable in full upon entry of this Order.

3. Respondent shall attend and successfully complete a course in medical record-keeping, acceptable to the Board, within six months of the date of entry of this Order. Respondent shall

submit information concerning any course he proposes to take to satisfy the requirements of this paragraph to the Board's Medical Education Director, and shall secure approval for the course from the Education Director before taking the course. Respondent shall additionally, upon completion of the course, ensure that documentation is provided to the Board demonstrating that respondent attended and successfully completed the course.

NEW JERSEY STATE BOARD
OF MEDICAL EXAMINERS

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

Consent is hereby given to the entry of this Order by the Board.

Bernard Baranek-Adler, M.D.
Bernard Baranek-Adler, M.D.