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**FILED**

May 9, 2008

**NEW JERSEY STATE BOARD  
OF MEDICAL EXAMINERS**

By: Kevin R. Jespersen  
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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 SUSPENSION :  
OR REVOCATION OF THE LICENSE OF :           Administrative Action  
JOHN N. GREEN, M.D. :  
LICENSE NO. 25MA04005700 :           **FINAL CONSENT ORDER**  
TO PRACTICE MEDICINE AND :  
SURGERY IN THE STATE OF NEW :  
JERSEY :

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This matter is being opened to the Board of Medical Examiners (the "Board") upon the receipt of a complaint from the New Jersey Department of Banking and Insurance. On July 24, 2001, the Respondent John N. Green, M.D. performed a procedure on the patient J.M. at the Hospital Center at Orange. On August 28, 2001, National Benefit Administrators, Inc., the insurer for the patient J.M., issued check number 565991 payable to "John N. Green, M.D.,"

**CERTIFIED TRUE COPY**

in the amount of \$1,200.00 and delivered that check to Respondent Green. Such check represents payment in full for the medical services that the Respondent Green provided to the patient J.M. on August 28, 2001. Respondent Green deposited the check in his bank account. On August 28, 2001, National Benefit Administrator, Inc. issued check number 565992 payable to the "Hospital Center at Orange" in the amount of \$1,163.00. The check also bore the notation, "Green, John M.D." The Respondent Green obtained possession of check number 565992 and deposited that check into his bank account. The Respondent Green knew, or should have known, that check number 565992 was payment to the Hospital Center at Orange for its charges associated with the procedure that Respondent Green performed upon the patient J.M. at the Hospital Center at Orange. National Benefit Administrators, Inc., in a letter dated April 23, 2003, informed the Respondent Green that check number 565992 was payment to the Hospital Center at Orange, and that Respondent Green had been paid in full for his services relating to the procedure that he performed on July 24, 2001, with check number 565991 in the amount of \$1,200.00. In that same letter, National Benefit Administrators, Inc. requested that Respondent Green repay the \$1,163.00. Respondent Green failed and refused to make repayment.

On September 9, 2003, the Board of Medical Examiners sent a written request to Respondent Green that he provide an explanation

of the circumstances regarding his depositing of check number 565992. Respondent Green failed and refused to respond. On June 3, 2004, the Board of Medical Examiners sent a second written request to Respondent Green that he provide an explanation of the circumstances regarding his depositing of check number 565992. Respondent Green again failed and refused to respond. On August 6, 2004, the Board of Medical Examiners sent a third written request to Respondent Green that he provide an explanation of the circumstances regarding his depositing of check number 565992. Respondent Green again failed and refused to respond.

On April 19, 2005, the Attorney General issued a subpoena to the Respondent Green compelling his attendance at a meeting of the Preliminary Evaluation Committee of the Board of Medical Examiners. On May 4, 2005, the Respondent Green appeared before the Committee. At that appearance, the Respondent Green admitted, among other things, that he received and cashed check number 565991, which represented payment in full for his service; he received and cashed check number 565992; that he received the request from National Benefit Administrator, Inc. to repay the amount of check number 565992; that he did not repay the amount of check number 565992; that he received the letters from the Board dated September 9, 2003, June 3, 2004 and August 6, 2004; and that he did not respond to the Board's letters.

The Respondent Green consents and agrees to each and every term of this Final Consent Order. The Board has determined that the within disposition is adequate to protect the public health, safety and welfare. For such reasons, and other good cause shown,

IT IS on this 9th day of May 1, 2008,

ORDERED:

1. The Respondent John N. Green, M.D. is hereby reprimanded for retaining the amount of check number 565992 from National Benefit Administrator, Inc., such conduct constituting professional misconduct in violation of N.J.S.A. 45:1-21(e). The Respondent John N. Green, M.D. is further reprimanded for his failure, on three separate occasions, to respond to the Board's letters of inquiry, such conduct constituting failure to cooperate with an investigation of the Board, in violation of N.J.A.C. 13:45C-1.1, et seq., which is, in addition, professional misconduct in violation of N.J.S.A. 45:1-21(e) and a violation of N.J.S.A. 45:1-21(h).

2. Within five days of the entry of this Consent Order, the Respondent John N. Green, M.D. shall pay to National Benefit Administrators, Inc. the sum of \$1,163.00. The Respondent John N. Green shall promptly provide the Executive Director of the Board of Medical Examiners written proof that he has timely made such repayment.

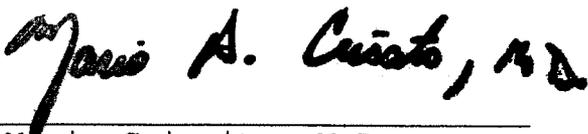
3. Within nine (9) months of the entry of this Final Consent Order, the Respondent John N. Green shall successfully complete a

course in ethics, such course to be approved in advance by the Director of Medical Education of the Board. For purposes of this Final Consent Order, "successful completion" shall mean that the Respondent John N. Green, M.D. attended all required sessions of the course, completed all required assignments of the course, and obtained an unconditional pass.

4. The Respondent John N. Green, M.D. shall, within thirty (30) days of the entry of this Final Consent Order, pay in full the Board's costs in this matter, including but not limited to, costs of investigation, expert witness fees and costs, attorney's fees and costs and transcript costs, as allowed by N.J.S.A. 45:1-25(d), such costs being fixed at \$3,000.00. The Board, in its sole discretion, may file a Certificate of Debt for the amounts due under this Order, and the Certificate shall be discharged upon payment in full of all amounts required under this Order. Payment shall be made by certified check or money order payable to "State Board of Medical Examiners" and delivered to the Executive Director of the Board.

5. This Order shall be a full, complete and final resolution of this matter. The Board shall retain jurisdiction to enforce the terms of this Order.

STATE BOARD OF MEDICAL EXAMINERS

By:   
Mario Criscito, M.D.  
President

I have read the within Order. I understand the Order and I agree to be bound by its terms and conditions. I hereby consent to the entry of this Order.



John N. Green, M.D.

Date: