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FILED

May 22, 2008

**NEW JERSEY STATE BOARD
OF MEDICAL EXAMINERS**

By: Ledra H. Horowitz
Deputy Attorney General
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STATE OF NEW JERSEY
DEPARTMENT OF LAW AND PUBLIC SAFETY
DIVISION OF CONSUMER AFFAIRS
STATE BOARD OF MEDICAL EXAMINERS

IN THE MATTER OF THE SUSPENSION
OR REVOCATION OF THE LICENSE OF

RUSSELL FERSTANDIG, M.D.
LICENSE NO. MA35048

TO PRACTICE MEDICINE AND SURGERY
IN THE STATE OF NEW JERSEY

Administrative Action

**INTERIM ORDER OF
VOLUNTARY SURRENDER**

This matter was opened to the New Jersey State Board of Medical Examiners (the "Board") on May 14, 2008 by the Attorney General of New Jersey (Ledra H. Horowitz, Deputy Attorney General, appearing) upon the filing of an Order to Show Cause and Verified Complaint seeking the temporary suspension of Dr. Russell Ferstandig's license to practice medicine pursuant to N.J.S.A. 45:1-22. The Verified Complaint alleged that Respondent's admitted usage of cocaine and poor judgment, exemplified by his use of illegal drugs, his failure to seek treatment for his addiction, and self-medicating with Cymbalta samples, demonstrate that he is presently incapable of discharging the functions of a licensee in a manner consistent with the public's health, safety and welfare, and

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is, therefore, a violation of N.J.S.A. 45:1-21(i). The Verified Complaint further alleged Respondent's drug use within the past 365 days constitutes use that is likely to impair his ability to safely practice, in violation of 45:1-21(l). The Verified Complaint further alleged that Respondent's conduct as evidenced therein constitutes professional misconduct in violation of N.J.S.A. 45:1-21(e). The Board's file in this matter reflects that Respondent has a history of substance abuse, as well as a previous suspension from practice by the Board.

Respondent has now agreed to an Interim Order of Voluntary Surrender with the Board. Pursuant to the Interim Consent Order, Respondent agrees to voluntarily surrender his license to practice medicine and surgery without prejudice or admissions until July 9, 2008, by which time Respondent shall have submitted an evaluation conducted under the auspices of the Professional Assistance Program ("PAP") and at which time the Attorney General has leave to renew the Application for Temporary Suspension. Respondent stipulates no prejudice to the Attorney General's continued prosecution of the allegations based upon the delay resulting from this Order.

Respondent shall provide the PAP evaluation and other pertinent materials to the Board and the Attorney General no later than July 1, 2008. In the event the Attorney General seeks to renew her Application for Temporary Suspension, she shall notify the Respondent, through counsel, no later than July 3, 2008.

Based upon the information included in the Verified Complaint, and subsequent information developed through Respondent's participation with, and evaluation by, the Professional Assistance Program of New Jersey ("PAP"), and the Board finding the within disposition to be adequately protective of the public health, safety and welfare,

IT IS on this 21st day of May, 2008

ORDERED as follows:

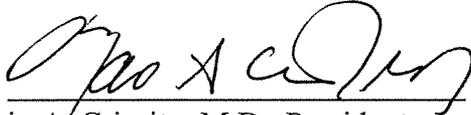
1. The Board shall accept the voluntary surrender of Respondent Russell Ferstandig, M.D.'s license, effective close of business on May 23, 2008, (no later than 8:00 pm) and through close of board business July 9, 2008.
2. Respondent shall demonstrate ongoing compliance with all the terms imposed by the PAP, and the PAP shall provide documentation of compliance and evaluation in the materials to be provided to the Attorney General and the Board on or before July 1, 2008. During the period of surrender, Respondent will comply fully with the requirements of the PAP-NJ including, but not limited to:
 - a. Absolute abstinence from drugs and alcohol with the exception of medication prescribed by a treating physician for a documented medical condition with notification to the Medical Director of the PAP;
 - b. Random urine monitoring under the supervision of the PAP on a random, unannounced basis, at a frequency to be determined by the PAP, but no less than 3 times per week.
 - e. Respondent shall attend twelve step recovery meetings at a frequency dictated by the PAP and shall provide documentation of his attendance to the Board.
3. Respondent shall undergo a hair analysis performed by the PAP at his own expense;
4. Respondent shall submit to a psychiatric evaluation by a Board approved psychiatrist within thirty (30) days of the date of the entry of this Order. For purposes of this paragraph Jeffrey Berman, M.D. shall be deemed a Board approved psychiatrist. All materials filed pertinent to the Application for Temporary Suspension and the within Order shall be provided to the Board approved psychiatrist. This evaluation shall include any psychological testing at the discretion of the

psychiatrist or the PAP. A copy of the psychiatric evaluation shall be transmitted by the psychiatrist within ten (10) days of the completion of his/her report to the PAP, the Executive Director of the Board and the Attorney General. Respondent shall follow the recommendations of the psychiatrist.

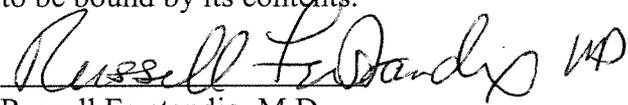
5. Respondent shall timely execute any and all releases to all professionals engaged in the monitoring or treatment as outlined herein, to permit them to provide all reports, records and pertinent information to the Board.

6. This Order is not a disciplinary order.

NEW JERSEY STATE BOARD OF
MEDICAL EXAMINERS

By: 
Mario A. Criscito, M.D., President

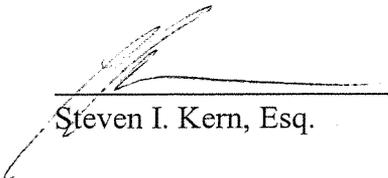
I have read and understood
the within Order and agree
to be bound by its contents.


Russell Ferstandig, M.D.

Dated: 5/21/08

Consented to as to form and
entry.

Kern, Augustine, Conroy & Schoppmann, P.C.
Attorneys for Russell Ferstandig, M.D.


Steven I. Kern, Esq.

Dated: 5/21/08