

FILED

February 3, 2009

**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:

MONTE KEEN, M.D.

ORDER MODIFYING
TERMS OF PRIOR
CONSENT ORDER

This matter was reopened before the New Jersey State Board of Medical Examiners (the "Board") upon the Board's receipt of a request from respondent Monte Keen, M.D. for modification of the terms of a prior Consent Order entered between respondent and the Board on March 24, 2006 (a copy of said Order Reinstating License with Conditions in the Matter of Monte Keen, M.D. is appended hereto and incorporated herein by reference). Pursuant to the terms of the Board's Order of March 24, 2006, respondent's license to practice was reinstated (after having been suspended by Board Order filed on June 15, 2000), subject to a series of conditions which included, without limitation, conditions that he participate with the Professional Assistance Program (the "PAP") and a condition that he limit his practice to a group setting, at a location to be pre-approved in writing by the Board. The March 24, 2006 Order further provided that, in the event respondent were to engage in any practice of surgery, respondent was to be limited to performing "minor surgical

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procedures" and/or to assisting other physicians in the performance of "major" surgical procedures.

Respondent appeared before a Committee of the Board on September 24, 2008, represented by Clifford Swift, Esq., and then offered testimony concerning his request for modification of the terms of the March 24, 2006 Order. Dr. Louis Baxter, Executive Director of the Professional Assistance Program, also appeared at that time, and testified generally concerning respondent's participation with the Professional Assistance Program. Both Dr. Baxter, and Dr. Arnold Washton (respondent's treating addiction psychologist) submitted written statements to the Committee wherein they opined that the prior Order should be modified so as to preclude respondent from presently being allowed to engage in any practice of surgery or to assist in any surgical procedures. Dr. Keen, when testifying before the Committee, expressly acknowledged that he concurred with those recommendations.

Respondent further testified that, although his license was reinstated in 2006, he has not in fact engaged in any practice of medicine or surgery since 1999 (when disciplinary action was first taken against him in the State of New York). Based on the significant amount of time that has passed since respondent engaged in any medical practice, the Board has determined that respondent should be required to presently demonstrate that he is fit to resume

the practice of medicine, by submitting to an assessment of his practice skills, prior to resuming any medical practice in the State of New Jersey. The Board expressly reserves the right, upon review of any assessment report prepared consistent with the terms of this Order, to restrict respondent's practice, and/or to impose any additional conditions or limitations upon respondent's practice which the Board, in its sole discretion, may then deem appropriate.

The Board being satisfied that good cause exists to modify the terms of the prior Order, and being further satisfied that the within modification is protective of the public health, safety and welfare, and respondent expressly consenting to the below set forth conditions:

IT IS on this 22nd day of January, 2009

ORDERED AND AGREED:

1. Paragraph 8 of the March 24, 2006 Consent Order is hereby amended to read as follows:

Respondent shall limit his medical practice to practice only in a group setting (that is, in a multiple physician practice and not in a solo practice), at a location that must be pre-approved in writing by the Board. Respondent is expressly precluded from engaging in any practice of surgery (to include, without limitation, assisting in any surgical procedures). Respondent shall advise all

physicians in the group practice he enters of his prior history of substance abuse. Respondent's practice shall be supervised by one physician in the group practice who shall be designated to be respondent's practice monitor (said designation shall be required to be approved in writing by the Board before respondent commences any medical practice under the terms of this Order). The practice monitor shall be required to agree to provide quarterly reports to the Board detailing the nature and quality of respondent's medical practice and attesting that respondent has conducted himself in accordance with all terms and conditions of this Order. The practice monitor shall further be required to agree to make immediate oral and written report to the Board in the event he or she receives any information or evidence of suspected impairment, inappropriate behavior or inappropriate medical practice by respondent.

2. The March 24, 2006 Order is hereby modified by the addition of the following paragraph:

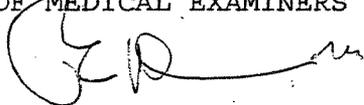
8A. Notwithstanding the terms of paragraph 8 above, respondent shall not engage in any practice of medicine in the State of New Jersey until he first submits to an assessment of his practice skills, to be conducted by an

assessment entity acceptable to the Board of Medical Examiners. The assessment entity shall prepare a report detailing all findings made upon assessment of respondent's practice skills, which report shall be provided to the Board of Medical Examiners. The Board expressly reserves the right, upon review of said report, to restrict respondent's practice, and/or to impose any additional conditions or limitations upon respondent's practice which the Board, in its sole discretion, may then deem appropriate.

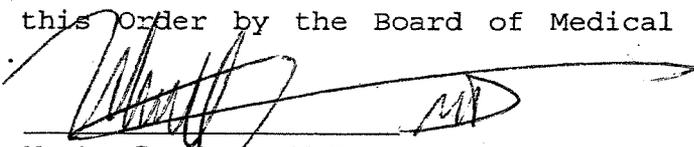
3. All other terms and conditions of the Board's March 24, 2006 Consent Order remain in full force and effect.

NEW JERSEY STATE BOARD
OF MEDICAL EXAMINERS

By: _____


Paul C. Mendelowitz, 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.


Monte S. Keen, M.D.

Dated: _____

1/7/2009