

FILED

OCTOBER 27, 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:

JASON N. POZNER, M.D.

ORDER REINSTATING
LICENSE

This matter was reopened before the New Jersey State Board of Medical Examiners (the "Board"), upon the Board's receipt of a petition from respondent Jason N. Pozner, M.D., seeking reinstatement of his license to practice medicine and surgery in the State of New Jersey. On September 2, 2009, respondent appeared, *pro se*, before a Preliminary Evaluation Committee of the Board, and then offered testimony in support of his petition for reinstatement.

By way of background, respondent's New Jersey medical license was suspended pursuant to N.J.S.A. 45:1-7.1(b) (providing for automatic suspension of license without hearing upon failure to renew license), when respondent failed to renew his license in 2003. An Order of Summary Suspension was thereafter filed by the Board on January 13, 2005. That Order was based not only upon Dr. Pozner's failure to renew his New Jersey license in 2003, but also upon the subsequent entry of a Final Order by the Florida Board of Medicine on August 26, 2004, pursuant to which respondent was

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reprimanded, required to complete one hundred hours of community service, assessed a fine of \$20,000 and costs of \$5,240.89, and required to complete a record-keeping course. The Florida action was based on a filed complaint wherein Dr. Pozner had been charged, with respect to two patients, of having failed to practice medicine with the level of care, skill and treatment recognized by a reasonably prudent similar physician as being acceptable, and with record-keeping violations. Respondent neither admitted nor denied the allegations made within the complaint when settling the Florida action.

The Order filed by the New Jersey Board on January 13, 2005 provided that, in the event Dr. Pozner were to seek reinstatement of his New Jersey license, he would need "to show cause why the application for reinstatement should not be refused or issued subject to such restraints, as the Board may deem appropriate, because of the prior licensure action [taken by the State of Florida]."

The Board has reviewed documentation submitted in support of Dr. Pozner's petition for reinstatement and considered the testimony that he offered when appearing before a Committee of the Board on September 2, 2009, and is presently satisfied that good cause exists to unconditionally reinstate respondent's New Jersey license. Documentation supplied by the Florida Board's Division of Medical Quality Assurance attests that Dr. Pozner completed all

terms of the Florida Order and that his Florida license is presently "clear/active." The Board is further satisfied, based on Dr. Pozner's testimony, that Dr. Pozner has demonstrated that he is fit and qualified to be reinstated, without conditions, in the State of New Jersey.

WHEREFORE,

IT IS on this 27TH day of October, 2009

ORDERED:

The license of Jason Neal Pozner, M.D., to practice medicine and surgery in the State of New Jersey is hereby reinstated, without conditions.

NEW JERSEY STATE BOARD OF
MEDICAL EXAMINERS

By: _____


Paul Mandelowitz, M.D.
Board President