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ATTORNEY GENERAL OF NEW JERSEY

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**FILED**

NOVEMBER 17, 2009

**NEW JERSEY STATE BOARD  
OF MEDICAL EXAMINERS**

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 : Administrative Action  
: :  
JAMES E. HUBBS, D.O. :  
LICENSE #MB59629 : CONSENT ORDER  
: :  
TO PRACTICE MEDICINE AND SURGERY :  
IN THE STATE OF NEW JERSEY :  
: :

This matter was opened to the New Jersey State Board of Medical Examiners upon its receipt of information that respondent had resigned from a position at a hospital while under investigation regarding allegations that he had a sexual relationship with a patient. Dr. Hubbs has acknowledged he had a personal relationship with a co-worker who became a patient.

The Board has reviewed the testimony offered by respondent before the Medical Practitioner Review Panel in which he acknowledged that he prescribed medication for a co-worker, saw her several times as a patient, and later they dated and had a brief sexual relationship. The Board also considered the testimony of the patient who claims a longer personal relationship during

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treatment, and the Board reviewed printouts of cell phone messages, some sexually explicit, which respondent acknowledged exchanging, and which indicated a longer term dating relationship which became sexual in nature.

The Board finds that even accepting respondent's version of events, he failed to maintain appropriate professional boundaries, and did not terminate the physician/patient relationship prior to initiating a social relationship. The Board has considered all of the relevant documentation submitted, and finds respondent engaged in professional misconduct in violation of N.J.S.A. 45:1-21(e) and N.J.A.C. 13:35-6.3.

The Board finding the within Order adequately protective of the public interest, and the parties being desirous of avoiding further formal proceedings in this matter, and respondent without admitting any violations of the Medical Practice Act, and waiving any right to a hearing, and for good cause shown;

**IT IS THEREFORE ON THIS 17TH DAY OF NOVEMBER 2009,**

**ORDERED:**

1. That respondent James E. Hubbs, D.O. is hereby reprimanded for violation of the sexual misconduct regulation N.J.A.C. 13:35-6.3.

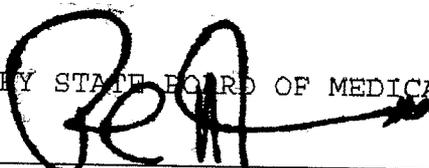
2. Respondent shall within 6 months of the date of this Order provide documentation to the Board office that he has fully attended and successfully completed a course pre-approved by the

Board regarding maintenance of appropriate boundaries by physicians with patients and staff.

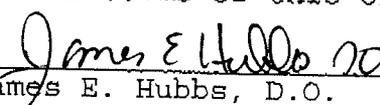
3. Respondent shall pay a monetary penalty of \$5,000. Payment shall be by certified check, money order or attorney trust account check made payable to the State of New Jersey and sent simultaneously with a signed copy of this Order.

4. Failure to comply with any of the provisions of this Order may result in subsequent disciplinary proceedings for failure to comply with an Order of the Board, in addition to any other penalties provided by law.

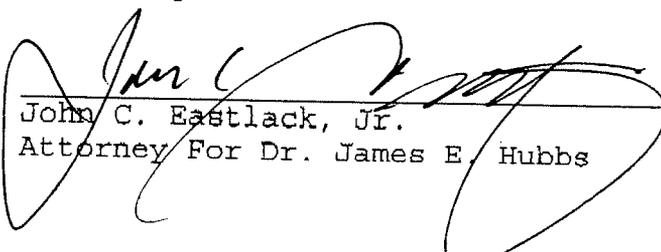
NEW JERSEY STATE BOARD OF MEDICAL EXAMINERS

By:   
Paul Mendelowitz, M.D.

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

  
James E. Hubbs, D.O.

This Order is approved as to form and entry.

  
John C. Eastlack, Jr.  
Attorney For Dr. James E. Hubbs