

FILED

JULY 23, 2010

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:

FRANK C. SAUCHELLI, M.D.

CONSENT ORDER

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 Frank Sauchelli, M.D. seeking reinstatement of his license to practice medicine and surgery in the State of New Jersey. Respondent voluntarily surrendered his medical license within an Order filed on April 4, 2007. Prior thereto, respondent had been reported to the Board by the Professional Assistance Program of New Jersey (the "PAP"), based on his use of Fentanyl and his refusal to comply with treatment recommendations made by the PAP.

Respondent presently seeks reinstatement of his medical license. Consistent with the requirements of the Order of Voluntary Surrender that Dr. Sauchelli entered with the Board, he appeared before a Committee of the Board on March 24, 2010, and then offered testimony in support of his petition for reinstatement. Dr. Sauchelli was accompanied by Louis Baxter, M.D., Executive Medical Director of the PAP), and Dr. Baxter also testified in support of Dr. Sauchelli's petition.

The Board has reviewed information submitted in support

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of respondent's petition for renewal, to include a position statement offered by the PAP, reports from Dr. Sauchelli's treating psychiatrist, and testimony offered by Dr. Sauchelli and by Dr. Baxter on March 24, 2010. Based on review of available information, it appears that Dr. Sauchelli has been in recovery from substance abuse (involving his use of Fentanyl) since January 2007. Although respondent initially did not submit urine screens, he has fully participated with the PAP, and been subject to random urine monitoring by the PAP, since December 2008. The PAP presently supports Dr. Sauchelli's petition for reinstatement, provided that the reinstatement is made with the imposition of all conditions and terms herein. Dr. Sauchelli's treating psychiatrist, Dr. Laurence M. Westreich, M.D., has offered an opinion supporting Dr. Sauchelli's request to return part time to the practice of medicine.

Dr. Sauchelli has additionally submitted a plan for his return to practice as an anesthesiologist. Dr. Sauchelli will return to practice "part-time," in the employ of Thomas R. Ragukonis, M.D., at "Bergen Pain Management" in Paramus, New Jersey. Dr. Ragukonis has submitted correspondence to the Board acknowledging his awareness of Dr. Sauchelli's history of substance abuse and supporting Dr. Sauchelli's request to presently return to the practice of medicine.

The Board being satisfied that Dr. Sauchelli has made a demonstration of fitness sufficient to warrant the reinstatement of

his license at this time, and being satisfied that the public health, safety and welfare is adequately protected provided that reinstatement is made with the conditions set forth and imposed herein, and for good cause shown,

IT IS on this day of , 2010

ORDERED and AGREED:

1. The license of respondent Frank C. Sauchelli, M.D., to practice medicine and surgery in the State of New Jersey, is hereby reinstated, subject to respondent's compliance with all terms and conditions of this Order.

2. Respondent Frank C. Sauchelli, M.D. shall hereafter continue to participate with, and be monitored by, the PAP. Conditions of respondent's participation with the PAP shall include, at a minimum, the following:

a. Respondent shall maintain absolute abstinence from all psychoactive substances, including alcohol, unless prescribed by a treating physician for a documented medical condition with written notification from his treating physician to the Executive Medical Director of the PAP of the diagnosis, treatment plan and medications prescribed; and

b. Respondent shall attend the support group of Alcoholics Anonymous at a minimum frequency of three meetings per week, with attendance to be documented; and

c. Respondent shall be subject to random urine monitoring, to be conducted under the auspices of the PAP. Urine

screens shall be obtained at a frequency of not less than twice weekly for a period of one year following Dr. Sauchelli's return to the practice of medicine, and then at a frequency of not less than once weekly for the following year. Thereafter, the frequency of urine screens shall be at the discretion of the Executive Medical Director of the PAP with notification to the State Board of Medical Examiners. In the event respondent fails to provide a urine specimen when requested to do so by the PAP, such failure shall be deemed to constitute non-compliance with this Order; and

d. Respondent shall continue to participate in care with his psychiatrist, Dr. Laurence M. Westreich. Dr. Sauchelli shall not discontinue treatment with his psychiatrist unless Dr. Westreich first consults with the Executive Medical Director of the PAP, and secures the approval of the PAP for discontinuation of treatment; and

e. Respondent shall attend monthly face-to-face meetings with a clinical representative of the PAP for one year following the date of his return to medical practice, and shall attend meetings to be scheduled once every two months for the following twelve months. Thereafter, the frequency of follow-up appointments shall be at the discretion of the Executive Medical Director of the PAP, consistent with Dr. Sauchelli's duration in recovery; and

f. The PAP shall make quarterly written reports to the Board detailing respondent's compliance with the aftercare and monitoring plan established for him by the PAP, and stating whether

respondent has complied with all terms and conditions set forth herein; and

g. The PAP shall provide immediate notification to the Board in the event that Dr. Sauchelli fails to fully participate with the PAP and/or is non-compliant with his treatment and monitoring plan, in the event that Dr. Sauchelli is non-compliant with any of the terms and conditions of this Order, or in the event the PAP receives any information or evidence that demonstrates that Dr. Sauchelli has relapsed into the use of any psychoactive substance.

3. Dr. Sauchelli shall only practice in a setting acceptable to the PAP and approved by the Board, and only at such times as his practice is monitored by a Board approved "physician monitor." The Board expressly approves Dr. Sauchelli's return to the practice of anesthesiology presently at Bergen Pain Management, Paramus, New Jersey, provided that any practice is limited to not more than twenty hours per week, and provided further that any practice is conducted only at such times as a "physician monitor" is on the premises. Thomas P. Ragukonis, M.D., is approved to be Dr. Sauchelli's "physician monitor." Dr. Ragukonis shall provide written quarterly reports to the PAP and the Board detailing Dr. Sauchelli's practice, and shall provide an immediate report to the PAP and the Board in the event that he observes and/or receives any information that Dr. Sauchelli has relapsed into the use of any psychoactive substance and/or otherwise demonstrates any

impairment. Dr. Sauchelli may seek, after three months, leave to increase the number of hours that he may work, but shall only do so upon receiving approval in advance from both the PAP and the Board.

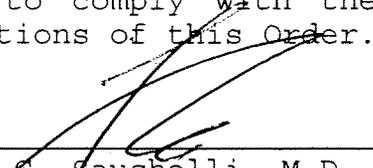
4. Respondent expressly acknowledges and consents that the Board may enter an Order immediately suspending his license to practice medicine and surgery in the State of New Jersey in the event of any relapse or any failure to comply with all terms and conditions of this Order. Grounds for entry of an Order of immediate suspension include, but are not limited to, the Board's receipt of any report from the PAP, from respondent's "physician monitor," or from any other source the Board may deem reliable, that details any relapse by respondent into the use of any non-prescribed psychoactive substance, to include alcohol, or the Board's receipt of any report, from the PAP, from respondent's "physician monitor," or from any other source the Board may deem reliable, that details any failure by respondent to continue to fully participate with the PAP or any failure by respondent to comply with the terms and conditions of this Order.

NEW JERSEY STATE BOARD OF
MEDICAL EXAMINERS

By:


Paul T. Jordan, M.D.
Board President

I consent to the entry of the within Order by the Board of Medical Examiners. I am aware that my license may be immediately suspended in the event of any relapse or failure by me to comply with the terms and conditions of this Order.



Frank C. Sauchelli, M.D.

Date:

5/22/2010

Agreement on behalf of the PAP to monitor Dr. Sauchelli in accordance with the conditions set forth herein and to make quarterly and/or immediate reports to the Board as detailed above.

PROFESSIONAL ASSISTANCE
PROGRAM OF NEW JERSEY

By:

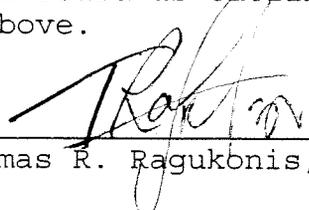


Louis E. Baxter, Sr., M.D.
Executive Medical Director

Date:

5/25/10

Agreement to function as Dr. Sauchelli's "physician monitor," and to make quarterly and/or immediate reports to the Board as outlined in paragraph 3 above.



Thomas R. Ragukonis, M.D.

Date:

6/16/10