

FILED

September 8, 2010

**NEW JERSEY STATE BOARD
OF MEDICAL EXAMINERS**

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STATE OF NEW JERSEY
DEPARTMENT OF LAW & PUBLIC SAFETY
DIVISION OF CONSUMER AFFAIRS
STATE BOARD OF MEDICAL EXAMINERS
OAL DOCKET NO.: BDSME10232-2005S

IN THE MATTER OF THE SUSPENSION OR :
REVOCATION OF THE LICENSE OF :
: Administrative Action
PHILIP GETSON, D.O. :
LICENSE NO. MB031972 : Consent Order
:
TO PRACTICE MEDICINE AND SURGERY :
IN THE STATE OF NEW JERSEY :

A four count Administrative Complaint against Respondent Philip Getson, D.O., a licensed physician in the State of New Jersey, was filed on July 12, 2005 by the State Board of Medical Examiners (the "Board"). The Complaint alleged violations of N.J.S.A. 45:1-21(c) (d) (e) and (h).

On November 10, 2005, Respondent, through his attorney, filed an Answer to the Complaint denying the allegations and the matter was docketed at the Office of Administrative Law and assigned to the Hon. Joseph Martone, ALJ. Hearing dates commence September 15, 2010.

Prior to hearing, Respondent voluntarily was recertified by the Board of Family Practice and American Osteopathic Association. He also enrolled in and successfully completed a CPEP course on medical recordkeeping.

CERTIFIED TRUE COPY

Respondent Philip Getson, D.O. being desirous of resolving this matter without further formal proceeding and without admitting to any of the allegations contained in the Administrative Complaint, and the Board having determined that the within disposition is adequately protective of the public health, safety and welfare,

IT IS on this 8th day of Sept. 2010

ORDERED

1. Respondent is hereby reprimanded for medical recordkeeping for the patients reflected in the Administrative Complaint which recordkeeping failed to meet the criteria set out in N.J.A.C. 13:35-6.5, a regulation administered by the Board thus constituting a violation of N.J.S.A. 45:1-21(h). The Reprimand is restricted and confined specifically to the records of seven patients identified in the Complaint for the specific period of time between 1998 - 2002.

2. Respondent within thirty (30) days of the filing of this order shall engage the services of a Board approved and Respondent approved medical records expert who will evaluate Respondent's records to insure inter alia that records properly document initial and subsequent physical examinations, that progress notes contain all requisite information including Respondent's referrals to physical therapy and or chiropractic therapy, that patient records reference information from imaging studies and contain a medical

flow sheet as well as medical information from each consulting physician to whom patient has been referred by Respondent, and include a final evaluation of the patient. Simultaneously with the presentation of this Order, Respondent shall propound a recordkeeping expert along with the expert's CV for the Board's approval.

Respondent shall submit a total of ten patient records to this medical records expert at two month, four month and six month intervals, and will act upon all recommendations for improved records from this medical records expert. The Board reserves the right to review the written recommendations of the medical records expert along with the records submitted for review by Respondent, and to extend the period of record review beyond the six month limit to a maximum of one year total, at the Board's discretion. Respondent shall assume the cost relating to the medical records expert.

3. Within ninety (90) days of the filing of this order, Respondent shall enroll in and successfully complete a Board approved ethics course. Successful completion means an unconditional passing grade. Respondent shall assume the cost of this coursework. The Board shall provide the Respondent with information regarding its approved ethics courses.

4. Within ten (10) days of the filing of this Consent Order, Respondent shall submit proof of all continuing medical education

coursework, including the Cultural Competency component for the period July 1, 2007 - June 30, 2009. Should this coursework not meet the Board's requirement, Respondent shall within ninety (90) days enroll in and successfully complete said coursework.

5. Respondent shall within ten (10) days of the filing of this Consent Order provide the Board with proof of his recertification of the Board of Family Practice and American Osteopathic Association and proof of successful completion of the Board approved CPEP recordkeeping course.

6. Within ten (10) days of the filing of this Consent Order, Respondent shall pay costs in the amount of \$10,000. Said costs shall be submitted by certified check or money order made payable to the State of New Jersey and forwarded to the Board of Medical Examiners c/o William V. Roeder, Executive Director, State Board of Medical Examiners, 140 East Front Street, P.O. Box 183, Trenton, New Jersey 08625-0183.

7. This order shall be full, complete and final resolution of the matter now pending before the Office of Administrative Law captioned In the Matter of the Suspension or Revocation of the License of Philip Getson, D.O. to Practice Medicine in the State of New Jersey (Docket No. BDSME 10232-2005S) and the parties hereby consent to the Office of Administrative Law returning the matter to the Board.

8. The Board shall retain jurisdiction to enforce the terms of this Order. Upon receipt of any reliable information indicating that Respondent has violated any term of this Order, the Board reserves the right to bring further disciplinary action

NEW JERSEY STATE BOARD OF MEDICAL EXAMINERS

By: 
Paul T. Jordan, M.D.
President

I have read and understood the within Order and agree to be bound by its terms. Consent is hereby given to the Board to enter this Order


Philip Getson, D.O.

Dated 8/27/10

We hereby Consent to the form and entry of this Order

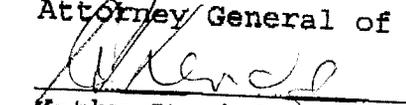

Paul Verner, Esq

Dated 9/2/10


Jacques Simon, Esq.

Dated 8/30/10

Paula Dow
Attorney General of New Jersey


Kathy Stroh Mendoza
Deputy Attorney General

Dated

**NOTICE OF REPORTING PRACTICES OF BOARD
REGARDING DISCIPLINARY ACTIONS**

Pursuant to N.J.S.A. 52:14B-3(3), all orders of the New Jersey State Board of Medical Examiners are available for public inspection. Should any inquiry be made concerning the status of a licensee, the inquirer will be informed of the existence of the order and a copy will be provided if requested. All evidentiary hearings, proceedings on motions or other applications which are conducted as public hearings and the record, including the transcript and documents marked in evidence, are available for public inspection, upon request.

Pursuant to 45 CFR Subtitle A 60.8, the Board is obligated to report to the National Practitioners Data Bank any action relating to a physician which is based on reasons relating to professional competence or professional conduct:

- (1) Which revokes or suspends (or otherwise restricts) a license,
- (2) Which censures, reprimands or places on probation,
- (3) Under which a license is surrendered.

Pursuant to 45 CFR Section 61.7, the Board is obligated to report to the Healthcare Integrity and Protection (HIP) Data Bank, any formal or official actions, such as revocation or suspension of a license (and the length of any such suspension), reprimand, censure or probation or any other loss of license or the right to apply for, or renew, a license of the provider, supplier, or practitioner, whether by operation of law, voluntary surrender, non-renewability, or otherwise, or any other negative action or finding by such Federal or State agency that is publicly available information.

Pursuant to N.J.S.A. 45:9-19.13, if the Board refuses to issue, suspends, revokes or otherwise places conditions on a license or permit, it is obligated to notify each licensed health care facility and health maintenance organization with which a licensee is affiliated and every other board licensee in this state with whom he or she is directly associated in private medical practice.

In accordance with an agreement with the Federation of State Medical Boards of the United States, a list of all disciplinary orders are provided to that organization on a monthly basis.

Within the month following entry of an order, a summary of the order will appear on the public agenda for the next monthly Board meeting and is forwarded to those members of the public requesting a copy. In addition, the same summary will appear in the minutes of that Board meeting, which are also made available to those requesting a copy.

Within the month following entry of an order, a summary of the order will appear in a Monthly Disciplinary Action Listing which is made available to those members of the public requesting a copy.

On a periodic basis the Board disseminates to its licensees a newsletter which includes a brief description of all of the orders entered by the Board.

From time to time, the Press Office of the Division of Consumer Affairs may issue releases including the summaries of the content of public orders.

Nothing herein is intended in any way to limit the Board, the Division or the Attorney General from disclosing any public document.