

**FILED**

October 31, 2011

**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

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In the matter of:

STANLEY L. BAGAN, M.D.

CONSENT ORDER

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This matter was opened before the New Jersey State Board of Medical Examiners (the "Board") upon receipt of a report from the Medical Practitioner Review Panel (the "Panel") detailing findings and recommendations made by the Panel at the conclusion of an investigation of care provided by respondent Stanley L. Bagan, M.D., to patient M.T. Specifically, the Panel commenced its investigation upon receiving notice from respondent's medical malpractice insurance carrier that a payment of \$900,000 was made on respondent's behalf to settle a civil malpractice action, wherein the estate of patient M.T. alleged that respondent failed to follow-up on abnormal liver studies, resulting in a failure to diagnose hepatocellular cancer leading to M.T.'s death.

The Panel has considered available information regarding this matter, to include expert reports from the underlying civil malpractice action, medical records that respondent maintained for patient M.T. and testimony that was offered by respondent when he

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appeared before the Panel on July 22, 2011, represented by Peter C. Gordon, Esq.

Upon review of available information, the Panel found that Dr. Bagan cared for patient M.T. for a period of approximately ten years, beginning in May 1993 and continuing through July 2003. During that time, respondent failed to conduct appropriate follow-up to investigate abnormal blood test results, to include repeated instances where M.T.'s liver enzymes were found to be elevated and repeated instances where iron studies showed elevated serum iron levels. Notwithstanding those test results, respondent failed to order serum ferritin levels and/or screening tests for hemochromatosis and failed to refer M.T. to a gastroenterologist. The Panel additionally found that respondent failed to recognize clinical signs which, alone or coupled with the abnormal lab results, should have caused him to consider a differential diagnosis of hemochromatosis.

Based on the above findings, the Panel concluded that respondent engaged in repeated acts of negligence in his care of patient M.T. The Board has reviewed the report made by the Panel and has ratified and adopted all findings made by the Panel. The Board therefore concludes that grounds for disciplinary action against respondent exist pursuant to N.J.S.A. 45:1-21 (d).

The parties desiring to resolve this matter without need for the filing of an administrative complaint and additional administrative proceedings, and the Board being satisfied that need for such proceedings is obviated by the entry of this Order, and finding that good cause exists to support the entry of this Order:

IT IS on this 31st day of October, 2011

ORDERED and AGREED:

1. Respondent Stanley L. Bagan, M.D., is hereby formally reprimanded for having engaged in repeated acts of negligence, as more fully detailed above.

2. Respondent shall, within nine months of the date of entry of this Order, attend and successfully complete a "general review course" in liver disease and/or hepatobiliary disease for primary care physicians. Respondent shall be required to secure pre-approval from the Board for any course that he may propose taking to satisfy the requirements of this paragraph, and shall be further required, upon his completion of the course, to ensure that proof of his attendance at, and successful completion of, the course is provided to the Board by the course provider.

3. Respondent is hereby assessed an administrative penalty in the amount of \$5,000, \$2500 of which shall be paid upon entry of this Order and \$2500 of which shall be paid on or before April 12,

2012.

NEW JERSEY STATE BOARD  
OF MEDICAL EXAMINERS

By:



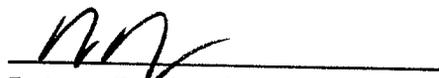
Paul T. Jordan, M.D.  
Board President

I represent that I have carefully  
read and considered this Order, and  
consent to the entry of the Order by  
the Board.

  
Stanley L. Bagan, M.D.

Dated: 10/14/11

Consent to form of Order and entry of  
Order by Board.

  
Peter C. Gordon, Esq.

Dated: 10/18/11