

FILED

JULY 2, 2012

NEW JERSEY STATE BOARD
OF MEDICAL EXAMINERS

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STATE OF NEW JERSEY
DEPARTMENT OF LAW & PUBLIC SAFETY
DIVISION OF CONSUMER AFFAIRS
BOARD OF MEDICAL EXAMINERS

IN THE MATTER OF THE LICENSE OF	:	
	:	
Henry M. Sherman, M.D.	:	ORDER GRANTING
License No. MA02864200	:	UNRESTRICTED
	:	LICENSURE
TO PRACTICE MEDICINE AND SURGERY	:	
IN THE STATE OF NEW JERSEY	:	

This matter was opened to the New Jersey State Board of Medical Examiners (Board) upon receipt of a request from Henry M. Sherman, M.D. (Respondent), through his counsel, Susan Fruchtman, Esq., requesting that the Board grant Respondent an unrestricted medical license.

By way of background, Respondent's license had been revoked by Board Order effective June 7, 1996. The Board's Order of Revocation was based on Respondent's conviction,

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by way of guilty plea, to five counts of Federal mail fraud in violation of 18 U.S.C. Section 1341 and Section 1342 in United States District Court. Respondent was sentenced to a period of incarceration and subjected to other sanctions for these crimes. The Board found that between 1989 and 1993, Respondent devised and conducted a scheme to defraud insurance companies by billing them for services and equipment that he did not provide, among other acts of misconduct. Respondent's plea transcript included an admission that the fraud to which he pled guilty was valued between \$70,000 and \$120,000. In addition, the record reflects that in violation of the Board's 1996 Order of Revocation, Respondent knowingly continued to practice medicine for approximately three to four months after his license was revoked and did not cease violating the Board order until he was apprehended.

By order filed June 5, 2003, the Board denied a prior petition for reinstatement by Respondent, finding that he had not demonstrated sufficient rehabilitation. The Board's rationale included that: "Respondent's efforts at rehabilitation, though admirable, do not alter the fact that he thwarted the trust vested in him by his medical license to illegally enrich himself".

On or about September 27, 2006, Respondent once more petitioned the Board for reinstatement requesting licensure, limited to practicing medicine without remuneration to Respondent in a clinic providing free medical services. On November 8, 2007, the Board issued a Consent Order Granting Limited Reinstatement of Licensure to Respondent (2007 Consent Order). In the 2007 Consent Order, the Board opined that Respondent had then demonstrated to the Board that he was sufficiently rehabilitated so that the Board would permit him to engage in the practice of medicine without financial incentives or remuneration. According to the 2007 Consent Order, the Board found that the Respondent possessed the fitness, ability and medical knowledge required for general medical practice and that he had demonstrated contrition and remorse for criminal acts and for not initially complying with the Board's 1996 Order of Revocation. To date, he has been practicing in compliance with the 2007 Consent Order.

On or about August 23, 2011, Respondent petitioned the Board to grant him an unrestricted medical license. In support of this most recent petition, Respondent provided documentation from (1) Sister Gloria Perez of Eva's Village, (2) Jihad Slim, M.D., board certified internist, (3) Ms. Kathleen Connolly Ed. M., APN.C, an associate

professor at the Graduate Program in Nursing at William Paterson University and other materials. Sister Gloria stated that since February 26, 2008, Respondent has served as Eva's Village medical director and has treated hundreds of Eva's Village patients with dignity and respect. Sister Gloria also noted that Respondent is highly respected by the Eva's Village volunteer nurse practitioners and registered nurses for his medical knowledge and expertise which he willingly shares with them. Dr. Slim recounted that for the past three years Respondent has referred Eva's Village patients to him for liver biopsies or injection therapy for infectious diseases. Dr. Slim concluded that Respondent thoroughly and appropriately evaluated these patients' multiple medical conditions. Based on this, Dr. Slim endorses Respondent's application for an unrestricted medical license. Also enclosed for the Board's consideration was an April 2009 letter from Ms. Connolly of William Paterson University in which Ms. Connolly thanked Respondent for delivering a lecture to the nursing students in the Advanced Health Assessment course at William Paterson University concerning interpreting x-rays of patients' respiratory and abdominal systems.

Thereafter, the Board determined on April 11, 2012, that Dr. Sherman has fully complied with the November 8,

2007 Consent Order and has dedicated himself to repaying society for the harm he has caused. In making the determination to grant Respondent an unrestricted license, the Board notes that Respondent has demonstrated years of community service, insight and remorse for his actions, and rehabilitation. The Board finds that the within Order is adequately protective of the public health, safety, and welfare,

IT IS ON THIS 2 DAY OF JULY, 2012

ORDERED THAT:

1. Henry M. Sherman, M.D. is hereby granted an unrestricted license to practice medicine and surgery in the State of New Jersey.

STATE BOARD OF MEDICAL EXAMINERS

By: 

Paul T. Jordan, M.D.
Board President