

FILED

October 5, 2012

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: :
 :
 JEFFREY H. KRAMER, M.D. : CONSENT ORDER
 :

This matter was opened before the New Jersey State Board of Medical Examiners (Board) upon receipt from the Medical Practitioner Review Panel (Panel) of recommendations made by the Panel at the conclusion of an investigation of care provided by Respondent, Jeffrey H. Kramer, M.D., to patient C.P. Specifically, the Panel commenced its investigation upon receiving notice of a payment of \$1,000,000 made on Respondent's behalf to settle a civil malpractice action alleging that Respondent failed to diagnose myocarditis which resulted in the death of the patient.

The Panel considered available information regarding this matter, including expert reports from the underlying civil malpractice action, Respondent's medical records for patient C.P. and testimony that was offered by Respondent when he appeared before the Panel on July 22, 2011, represented by counsel, Michael Schoppmann, Esq.

The available information revealed that Respondent provided care to patient C.P. on or about May, 30, 2003 in the Emergency Room at South Jersey Hospital in Elmer, New Jersey. C.P. was 33 years old and presented with positional pleuritic pain and Respondent diagnosed the patient as suffering from pericarditis. Respondent

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interpreted C.P.'s EKG, and noted a sinus rhythm with ectopic beats, PVCs and PACs. At that time, Respondent failed to recognize a complete heart block. An additional EKG was performed and the results were essentially identical to the first EKG. Respondent diagnosed pericarditis with a conduction problem, and patient C.P. was discharged with recommendations for follow-up. Patient C.P. expired 2-3 days later. Respondent testified that looking at the EKG tracings in hindsight, it is evident that patient C.P. was in complete heart block at the time he was seen in the Emergency Room. Respondent could not explain the reason that he missed the diagnosis.

The Panel considered Respondent's acknowledgment of his incorrect interpretation of both EKGs and failure to diagnose Patient C.P.'s complete heart block. The Panel found Respondent to be honest and forthright regarding the incident. Based on the above findings, the Panel concluded that Respondent's failure to diagnose the complete heart block on both EKGs represents gross negligence in his care of patient C.P. 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(c) (providing that disciplinary action may be taken against a licensee who engages in gross negligence, gross malpractice or incompetence).

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 proceeding 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 5 day of October , 2012

ORDERED AND AGREED:

1. Respondent, Jeffrey H. Kramer, M.D., is hereby formally reprimanded for having engaged in an act of gross negligence in his care of patient C.P.

2. Respondent shall within six months of the filing date of this Order, fully attend and successfully complete a medical review course in EKG interpretation. 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 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. These continuing education credits will not count toward Respondent's biennial continuing education obligation in New Jersey.

3. Respondent is hereby assessed a civil penalty in the amount of \$10,000, which penalty shall be paid in full within thirty (30) days of the filing date of this Order. Payment should be sent to William Roeder, Executive Director of the Medical Board, 140 E. Front St., P.O. Box 183, Trenton, NJ 08625 and the certified check should be written out to the State of New Jersey. Failure to remit any payment as required by this Consent Order will result in the filing of a Certificate of Debt.

NEW JERSEY STATE BOARD
OF MEDICAL EXAMINERS

By:

George J. Scott, D.O. FXCOEP
~~Paul T. Jordan, M.D.~~
Board President

I have read and understand the
Provisions of this Order and agree
to be bound by them. I consent to
the entry of this Order by the
State Board of Medical Examiners.

Jeffrey H. Kramer, M.D.

Jeffrey H. Kramer, M.D.

Dated:

10/2/12

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

10/4/12 SR

Svetlana Ros

~~Michael Schoppmann, Esq.~~ Svetlana Ros, Esq.
Attorney for Jeffrey H. Kramer, M.D.

Dated:

10/4/12

**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.