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FILED

July 29, 2013

**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

IN THE MATTER OF THE SUSPENSION :
OR REVOCATION OF THE LICENSE OF : Administrative Action
:
Alexander B. Kudryk, M.D. : Order of Unrestricted
License No. 25MA05346900 : Licensure
:
TO PRACTICE MEDICINE AND SURGERY:
IN THE STATE OF NEW JERSEY :

This matter was most recently opened to the New Jersey State Board of Medical Examiners ("Board") by way of Alexander B. Kudryk, M.D. ("Respondent") petitioning for an Order of Unrestricted Licensure with assurances of ongoing monitoring by the Professional Assistance Program of New Jersey ("PAP") for the life of said licensure.

Respondent has a long history of abuse of alcohol and involvement with the PAP. In May of 1991, Respondent entered an inpatient alcohol rehabilitation program and voluntarily ceased to practice medicine. A Consent Order was filed in September of 1991

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that permitted Respondent to practice medicine pursuant to stringent restrictions. In May of 1993, another Consent Order was filed in which certain restrictions were relaxed and Respondent agreed to refrain from seeking modification of the Order for a minimum of one year. Respondent was granted an unrestricted license on May 15, 1995.

On January 16, 2001, another Consent Order was filed following the Board's finding that he had failed to inform the PAP about his consumption of alcohol on May 30, 1999, and his subsequent arrest and conviction for Driving Under the Influence of Alcohol/Drugs. On April 26, 2002, Respondent's license was automatically suspended upon receipt of information from the PAP that he admitted to suffering a relapse into alcohol abuse and was involved in an alcohol-related automobile accident.

On August 18, 2003, Respondent's license to practice medicine was reinstated with restrictions, including but not limited to, random weekly urine screens for the life of his license. By Consent Order dated March 17, 2010, these restrictions were modified upon Respondent's petition for a reduction of urine monitoring performed under the auspices of the PAP to random twice monthly urine monitoring.

By letter dated March 25, 2013, Louis E. Baxter, M.D, Executive Medical Director, PAP asked the Board to grant Respondent

an unrestricted license, based upon Respondent's ten years of recovery.

It appearing that Respondent has read the terms of the within Order and understands their meaning and effect and consents to be bound by same, and it further appearing that the Board finds that this Order is adequately protective of the public health, safety, and welfare, and for good cause shown,

ACCORDINGLY, IT IS on this 29th day of JULY 2013,

ORDERED THAT:

1. The license of Respondent Alexander B. Kudryk, M.D. to practice medicine and surgery in this State shall be unrestricted.

2. Respondent has voluntarily agreed to ongoing monitoring with the PAP for the life of his license, to wit:

- a) Respondent shall submit to random monthly urine monitoring under the auspices of the Professional Assistance Program for the life of his license.
- b) Respondent shall meet with the Professional Assistance Program and shall be responsible to ensure that the PAP supplies status reports to the Board regarding drug screens on a quarterly basis. An immediate (within 24 hours of awareness) report both orally and in writing shall be made by the Professional Assistance Program to the Board of any information that Respondent engaged in any violation of any laws regarding alcohol and/or controlled dangerous substances or any positive urine screen or failure to appear for urine monitoring.

Respondent expressly waives any claim of privilege or confidentiality that he may have concerning the above outlined reports and disclosures by the Professional Assistance Program to the Board and specifically agrees to their use by the Board in connection with licensure and disciplinary actions.

c) Respondent agrees to be responsible for all costs associated with the monitoring program as outlined herein.

3. Respondent has voluntarily entered into this Order with the full knowledge that he will be automatically suspended if he fails to maintain absolute abstinence from controlled dangerous substances and alcohol consumption. Upon the Board's receipt of any information which the Board, in its sole discretion, deems reliable demonstrating that Respondent has materially failed to comply with any of the conditions set forth above, or any report of a confirmed positive urine, or a prima facie showing of any abuse of controlled dangerous substances or alcohol, Respondent consents to the entry of an Order resulting in the immediate automatic suspension of his medical license. Said suspension is to be memorialized in a public order by the State Board of Medical Examiners.

4. Respondent shall have the right to apply for removal of the automatic suspension on two (2) day's notice but in such event shall be limited to a showing that the urine tested was a false positive or that other information the Board relied upon was false.

NEW JERSEY STATE BOARD OF MEDICAL EXAMINERS

By: George J. Scott D.P.M., D.O.
Board President

I agree to be bound by the terms of this Consent Order

Alexander B. Kudryak M.D.
Alexander B. Kudryak, M.D.

Dated 07/23/13

Consented to on behalf of the Professional Assistance Program

Louis E. Baxter M.D., F.A.S.A.M.
Louis E. Baxter, M.D., F.A.S.A.M.
Executive Medical Director
Professional Assistance Program

Dated 7/17/13

**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.