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**FILED**

October 10, 2013

**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 THE SUSPENSION	:	
OR REVOCATION OF THE LICENSE OF	:	Administrative Action
	:	
VITO MAZZOCOLI, M.D.	:	CONSENT ORDER
LICENSE NO. 25MA72343	:	
	:	
TO PRACTICE MEDICINE AND SURGERY	:	
IN THE STATE OF NEW JERSEY	:	

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This matter was opened to the New Jersey State Board of Medical Examiners ("Board") upon receipt of an Adverse Action Report from Mountainside Hospital ("Mountainside") located in Montclair, New Jersey indicating that on April 19, 2010, Dr. Vito Mazzocoli, License No. 25MA72343 ("Respondent") was summarily suspended for making inappropriate physical contact with a hospital employee.

On October 22, 2012, Respondent appeared and testified before New Jersey Medical Practitioner Review Panel (the "Panel") regarding the events of April 7, 2010 that led to his

suspension. In addition to Respondent's testimony, the Panel reviewed various written materials including the results of the Fair Hearing Panel at Mountainside, which determined that the boundary violation occurred.

Based upon the totality of the material considered, the Board finds that Respondent did engage in the inappropriate physical contact with a hospital employee which constitutes a violation of N.J.S.A. 45:1-21(h) (specifically, in violation of N.J.A.C. 13:35-6.3(b)).

Respondent, in the interest of amicable settlement, neither admits nor denies the factual and legal allegations surrounding his suspension from Mountainside and represents that any such conduct was not intentionally in violation of law or Medical Board regulations. Respondent has determined to voluntarily accept the disposition set forth below and the public health, safety and welfare and for good cause shown,

ON THIS 10 day of October 2013

ORDERED:

1. Respondent Vito Mazzoccoli, M.D. is hereby reprimanded for engaging in inappropriate physical contact with a hospital employee, which constitutes a violation of any act or regulation administered by the Board under N.J.S.A. 45:1-21(h), specifically N.J.A.C. 13:35-6.3(b).

2. Within one month of the entry of this Order, Respondent shall enroll in the Professional Assistance Program of New Jersey, Inc. ("PAP"), 742 Alexander Road, Princeton, New Jersey 08540 and submit to a psychological evaluation to be conducted by the PAP. Respondent shall fully comply with whatever recommendations result from said psychological evaluation.

3. Respondent shall arrange for the psychological evaluation and all documentation of follow through to be forwarded to Harry Lessig, M.D., Consultant Medical Director, State Board of Medical Examiners.

4. Within three months of the entry of this Order, Respondent shall enroll in and successfully complete a Board approved course in boundary violations.

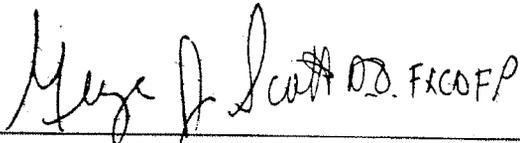
5. Respondent is assessed costs in the amount of \$3,500 as provided by N.J.S.A. 45:1-25(d). Said costs shall be submitted by certified check or U.S. money order made payable to the State of New Jersey and forwarded to the Board office attention Executive Director William V. Roeder, State Board of Medical Examiners, P.O. Box 183, Trenton, New Jersey 08625-0183.

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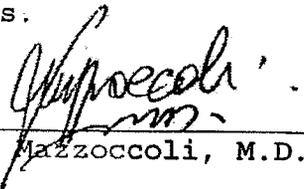
6. The Disciplinary Directive attached hereto are incorporated in this document.

7. This Order is effective upon entry.

NEW JERSEY STATE BOARD OF MEDICAL EXAMINERS

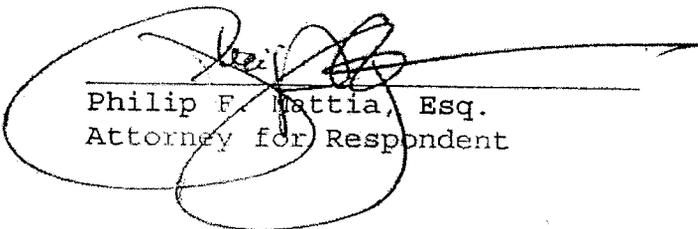
By:   
George J. Scott, DPM, D.O.  
President

I have read and understand  
the within Order and I  
agree to be bound by its  
terms.

  
Vito Mazzoccoli, M.D.

Dated: 10/4/2013

Consented to as to  
Form and entry.

  
Philip F. Mattia, Esq.  
Attorney for Respondent

Dated: 10/04/13

**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.