

**FILED**

November 4, 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

\_\_\_\_\_  
IN THE MATTER OF: \_\_\_\_\_  
:  
LORRAINE DRISCOLL, M.D. \_\_\_\_\_  
:  
\_\_\_\_\_  
:

CONSENT ORDER

This matter was opened before the New Jersey State Board of Medical Examiners (the "Board") upon the Board's receipt of a report from the Medical Practitioner Review Panel (the "Panel") detailing the recommendations made upon the Panel's completion of an investigation of the practice of respondent Lorraine Driscoll, M.D. Specifically, the Panel reviewed the care provided by respondent to patient K.D., after receiving notification that a payment of \$700,000 had been made to settle a civil malpractice action brought by the patient. Allegations made in the civil action involving K.D. were that respondent failed to perform amniocentesis despite K.D.'s high risk pregnancy and failed to detect birth defects. In the course of the investigation of respondent's care of patient K.D. the Panel also investigated allegations of possible falsification of K.D.'s medical record.

The Panel has reviewed available information provided by St. Mary's Hospital to include documentation not only regarding patient K.D., but also concerning two versions of patient records submitted by Dr. Driscoll, the first to St. Mary's Hospital prior to the

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birth and the second produced in connection with the malpractice suit, and has considered testimony offered by respondent when she appeared before the Panel on January 21, 2013, represented by Matthew Schorr, Esq.

Upon review of available information, the Panel found that respondent added words and entries in her office charts for the patient after she submitted the charts to the hospital. Specifically, respondent added words to several visits and lab results indicating the patient refused amniocentesis and other wording which would be helpful to her defense in the malpractice suit, which involved the delivery of a child with Downs Syndrome and an allegation that the failure to perform amniocentesis resulted in the failure to detect birth defects and the consequent deprivation of informed decision making by the patient. The Panel specifically found: that respondent added information in several instances to the patient record without dating the addition thus producing two versions of the record. Respondent's claim that she had submitted the record to the hospital before she had time to finish filling it out was deemed an insufficient response. The Panel is aware that respondent left the clinical practice of medicine shortly after the resolution of the malpractice case involving K.D., and has since been involved in administrative tasks relating to medicine.

The Board herein adopts all findings set forth above, and concludes that respondent has in several instances changed patient records after she submitted them to the hospital. Based thereon, the Board concludes that cause for disciplinary sanction against respondent exists pursuant to N.J.S.A. 45:1-21(b) for engaging in the use or employment of dishonesty, deception and misrepresentation, and/or N.J.S.A. 45:1-21(e) for engaging in professional misconduct. The parties desiring to resolve this matter without the need for further administrative proceedings, and the Board being satisfied that the within disposition is adequate and appropriate, and that good cause exists for the entry of this Order;

IT IS ON THIS            4            DAY OF November            , 2013

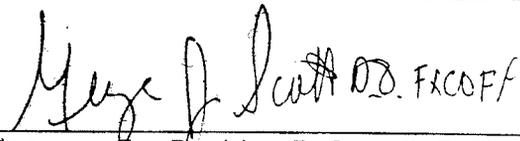
**ORDERED AND AGREED:**

1. Respondent Lorraine Driscoll, M.D., is hereby formally reprimanded for having repeatedly added to patient records and/or failing to date entries made in patient records, as more fully detailed above.

2. Prior to re-entering any clinical practice of medicine, respondent shall complete courses acceptable to the Board in: (1) medical record keeping and (2) professional ethics. Respondent may satisfy the requirements of this paragraph by completing any record keeping and/or ethics course that is presently approved by the Board (a list of such courses shall be supplied to respondent

before or at the time of entry of this Order), or may seek to satisfy the requirements herein by attending courses other than those that are presently Board approved. In such event, respondent shall be required to secure written pre-approval for any proposed alternative course from the Board, which she may seek by providing all available information concerning any proposed alternative course to the consultant Medical Director of the Board, who shall review said information and then determine whether any proposed alternative course is or is not acceptable to the Board. Respondent shall thereafter be responsible to ensure that documentation of successful completion of approved courses taken to satisfy the requirements of this paragraph is forwarded by the course provider(s) to the Board.

NEW JERSEY STATE BOARD OF MEDICAL EXAMINERS

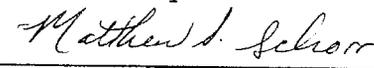
By:   
George J. Scott, D.O., D.P.M.  
Board President

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

  
Lorraine Driscoll

Dated: 8/29/2013

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

  
Matthew Schorr, Esq.  
Counsel for Respondent

Dated: 9/3/13

**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.