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December 16, 2013

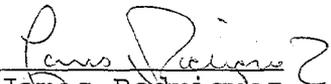
-Via Overnight Delivery & Regular Mail-

Augustine Lee, M.D.
40 Tangle Brook Drive
Holland, PA 18966

Re: In The Matter of the New Jersey CDS
Registration Issued to
Augustine Lee, M.D.
N.J. CDS Reg. No. D02604900
Docket #: 13-081

Enclosed please find a Consent Order NJ CDS Registration Revocation in connection to the above captioned matter which was filed on December 9, 2013.

Respectfully,


James Rodriguez
Clerk

cc: Eric T. Kanefsky, Director
Maryann Sheehan, Deputy Director, Professional Boards
David M. Puteska, Deputy Attorney General
Megan Cordoma, Deputy Attorney General
Matthew R. Wetzell, Acting Manager, Drug Control Unit

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

IN THE MATTER OF THE NEW JERSEY :
CDS REGISTRATION ISSUED TO :
:
AUGUSTINE LEE, M.D. :
N.J. CDS REG. No. D02604900 :
:
:

Administrative Action

CONSENT ORDER
CDS REGISTRATION REVOCATION

13-081

This matter was opened to Eric T. Kanefsky, Director of the New Jersey Division of Consumer Affairs (the "Director") pursuant to his authority over the dispensing of Controlled Dangerous Substances ("CDS") as set forth in N.J.S.A. 24:21-1 et. seq. On September 30, 2013, the Director issued an Order to Show Cause as to why the New Jersey CDS Registration issued to Augustine Lee, M.D. ("Respondent") should not be revoked. A copy of the Order to Show Cause, with exhibits, is attached hereto as Exhibit A. A hearing on this matter was scheduled for December 2, 2013.

Respondent was a physician licensed to practice medicine and surgery in New Jersey by the New Jersey State Board of Medical Examiners (the "Board") until February 13, 2013 when the Board accepted the surrender of his license to be deemed a revocation. A copy of the Board's order is attached to the Order to Show Cause as Exhibit 1. Respondent was also registered to prescribe and/or dispense CDS issued by the New Jersey Division of Consumer

Affairs (the "Division") pursuant to N.J.S.A. 24:21-10 under registration number D02604900. Respondent's CDS registration became inactive upon the filing of the Board's revocation order.

On February 17, 2011, Respondent was arrested following an investigation by federal and state law enforcement agents that revealed that he had issued hundreds of prescriptions for Oxycodone and other CDS in exchange for cash payments without conducting examinations. On January 9, 2012, Respondent pled guilty to unlawful distribution of Oxycodone, a Schedule II CDS, without legitimate medical purpose and outside the usual course of professional practice in violation of 21 U.S.C. §§ 841(a)(1) and (b)(1)(c) and 18 U.S.C. §2. (Copy of Judgment of Conviction attached to the Order to Show Cause as Exhibit 2). On November 19, 2012, Respondent was sentenced to one year and one day imprisonment, three years of supervised release and he agreed to the forfeiture of \$83,800.

On February 13, 2013, the Board entered a Final Consent Order permanently revoking Respondent's license to practice medicine. Respondent's medical license had been temporarily suspended since March 9, 2011.

The Drug Enforcement Administration ("DEA") has confirmed that the current status of Respondent's DEA registration is "surrendered for cause."

N.J.A.C. 13:45H-7.4(a) requires that all prescriptions for CDS be issued only for legitimate medical purposes by a practitioner acting in the usual course of his professional practice. Respondent's guilty plea, as detailed above, reflects that he issued CDS prescriptions without legitimate medical purposes and outside the usual course of professional practice.

Respondent's conviction of an indictable offense related to his indiscriminate prescribing of CDS constitutes grounds for the revocation of his New Jersey CDS registration pursuant to the Director's authority under N.J.S.A. 24:21-12(a)(2). Respondent's admission that he issued CDS

prescriptions for non-legitimate medical purposes constitutes a violation of N.J.A.C. 13:45H-7.4(a) and thus provides grounds for the revocation of his New Jersey CDS registration pursuant to N.J.S.A. 24:21-12(a)(3). Respondent's DEA status of "surrendered for cause" provides grounds for the revocation of his New Jersey CDS registration pursuant to N.J.S.A. 24:21-12(a)(4).

Upon receipt of the Order to Show Cause Respondent indicated his desire to consent to the revocation of his New Jersey CDS Registration. Pursuant to the above information; the Director's authority under N.J.S.A. 24:21-12(c); Respondent's consent and for good cause shown:

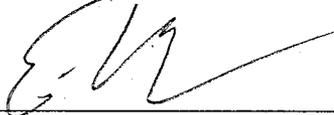
IT IS ON THIS 9th day of December, 2013 **ORDERED** that

1. New Jersey CDS Registration number D02604900 issued to Respondent is revoked pursuant to N.J.S.A. 24:21-12 (a)(2), (3) & (4);
2. To the extent not already completed, any prescription pads bearing the licensee's name shall be destroyed. A destruction report form, obtained from the Division's Office of Drug Control, must be filed. Any CDS in Respondent's possession, other than for legitimate personal use pursuant to a duly issued prescription, must be returned to the manufacturer, if possible or destroyed in an approved fashion.
3. Within thirty (30) days of the filing of this Consent Order, the Director will provide a copy to the Drug Enforcement Administration ("DEA").
4. Any future application by Respondent to the Director for a CDS registration shall be issued only after he has been issued a license to practice medicine and surgery in New Jersey by the Board and after he proves, to the Director's satisfaction, that such issuance is in the public interest as set forth in N.J.S.A. 24:21-11.

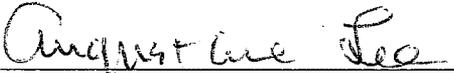
5. Respondent has been specifically informed that he may consult an attorney to represent him in this matter. Respondent acknowledges that he has been advised of the ability to consult with counsel and that he chooses to voluntarily enter into this Consent Order.

NEW JERSEY DIVISION OF CONSUMER AFFAIRS

By: _____


Eric T. Kanefsky, Director

I have read and understood
this Consent Order and consent
to be bound by its terms.


Augustine M. Lee, M.D.

Dated: Nov. 22, 2013