

**FILED**

January 9, 2014

**NEW JERSEY STATE BOARD  
OF MEDICAL EXAMINERS**

JOHN J. HOFFMAN  
ACTING ATTORNEY GENERAL OF NEW JERSEY  
Division of Law  
124 Halsey Street - 5<sup>th</sup> Floor  
P.O. Box 45029  
Newark, New Jersey 07101  
Attorney for the State Board  
of Medical Examiners

By: B. Michelle Albertson  
Deputy Attorney General  
Tel. (973)648-7297

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

IN THE MATTER OF THE LICENSE OF

HOWARD Z. ARIAN, M.D.  
License No. MA85742

TO PRACTICE MEDICINE AND SURGERY  
IN THE STATE OF NEW JERSEY

:  
:  
:  
: Administrative Action  
:  
: CONSENT ORDER  
:  
:  
:

THIS MATTER was opened to the New Jersey State Board of Medical Examiners ("Board") upon receipt of information that on or about November 13, 2012, the Delaware Board of Medical Licensure and Discipline ("Delaware Board") entered an "Order" approving a "Consent Agreement" (collectively, "Delaware Order") at which time Respondent, Howard Z. Arian, M.D., agreed to permanently refrain

**CERTIFIED TRUE COPY**

from making inappropriate sexual comments to employees, pay a \$1,000.00 fine and to complete three (3) hours of continuing education on sexual harassment issues. The Delaware Board found that between September 2009 and October 2010, Respondent engaged in unprofessional conduct by making inappropriate sexual comments to employees.

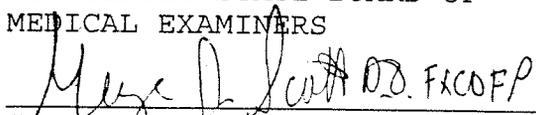
As a result of the foregoing, the Board has determined that Respondent's acts giving rise to the Delaware disciplinary action provide a basis to take disciplinary action against Respondent's New Jersey license to practice medicine and surgery pursuant to N.J.S.A. 45:1-21(e).

IT NOW APPEARING that the parties wish to resolve this matter without recourse to formal proceedings; and that the Respondent hereby waives any right to a hearing in this matter; and the Board finding the within Order adequately protects the public's health, safety and welfare; and for good cause shown;

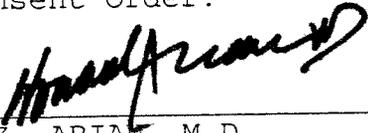
IT IS ON THIS 9th day of January, 2014, ORDERED AND AGREED THAT Respondent shall permanently cease, desist and refrain from making inappropriate sexual comments to employees and remain in full compliance with the Delaware Order.

NEW JERSEY STATE BOARD OF  
MEDICAL EXAMINERS

By:

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

I have read and I understand  
this Consent Order and agree to be  
bound by its terms. I further  
hereby consent to the entry of  
this Consent Order.



---

HOWARD Z. ARIAN, M.D.

**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.