

2013, *pro se*, and then testified regarding both of the above malpractice actions. Upon review of available information, to include hospital records and Dr. Bobila's testimony, the Panel found that, on May 3, 2003, patient A.V. presented to the emergency room at Passaic Beth Israel Hospital complaining of right lower quadrant abdominal pain. A.V. was evaluated in the emergency room at Passaic Beth Israel and diagnosed with acute appendicitis. A surgical consult was ordered, and multiple calls were placed to Dr. Bobila, who was the scheduled on-call surgeon. Dr. Bobila failed to respond to any of those calls and/or pages. The Panel found that respondent engaged in negligence by failing to respond to the multiple calls placed to him regarding patient A.V., and/or by failing to designate a back-up physician with privileges at Passaic Beth Israel. Patient A.V. ultimately was transferred to another hospital where he was operated on at 11:00 a.m. on May 4, 2013.

In the second case involving patient H.B., the Panel found that H.B. presented to the emergency department at St. Joseph's Medical Center on November 14, 2005 with complaints of abdominal pain. Dr. Bobila performed a laparoscopic cholecystectomy with findings of acute cholecystitis, and thereafter discharged H.B. home on November 15, 2005. H.B. then returned to the emergency department on November 17, 2005, with complaints of abdominal pain. A CT scan revealed appendicitis and Dr. Bobila thereafter performed an appendectomy. The pathology

report included notations of gangrenous appendicitis. When appearing before the Panel, Dr. Bobila testified that he examined H.B. on her initial admission both before and after performing the cholecystectomy, however he failed to write any notes in H.B.'s chart detailing the results of either examination, and he failed to countersign the resident's note (Dr. Bobila's dictated operative report was his only entry in the chart). The Panel concluded that Dr. Bobila engaged in negligence when providing care to patient H.B. on her initial admission on November 14-15, 2005, based on the absence of any evidence in H.B.'s medical chart to suggest or corroborate that Dr. Bobila examined and/or properly evaluated H.B. before or after surgery. Additionally, by failing to make any entries detailing any examination that he may have performed, respondent violated the requirements of the patient record keeping rule. N.J.A.C. 13:35-6.5.

Independent of and in addition to the above findings, the Panel found that Dr. Bobila misrepresented his Board certification status on a curriculum vitae which he submitted to the Panel on September 20, 2013. Specifically, the curriculum vitae included entries stating that Dr. Bobila had been re-certified by the American Board of Surgery in July 2002, however when questioned by the Panel, Dr. Bobila conceded that his board certification expired in 2002.

The Board adopted all findings made by the Panel, and

thus specifically finds that bases for disciplinary sanction against respondent exist pursuant to N.J.S.A. 45:1-21 (d) (based on the findings that Dr. Bobila engaged in negligence in both the A.V. and H.B. cases), 45:1-21(h) (based on the findings that Dr. Bobila's failure to have made any chart entries in the H.B. case constituted a violation of the Board's record keeping rule, N.J.A.C. 13:35-6.5), and pursuant to N.J.S.A. 45:1-21(a) (based on the findings that Dr. Bobila misrepresented his Board certification status on the curriculum vitae which he submitted to the Panel at the time of his appearance).

The parties desiring to resolve this matter without the need for further administrative proceedings, and the Board being satisfied that good cause exists for the entry of the within Order,

IT IS on this 15 day of January , 2014

ORDERED and AGREED:

1. Respondent Alexis Bobila, M.D. is hereby formally reprimanded for having engaged in repeated acts of negligence, for having violated requirements of the Board's record keeping rule, and for having presented a curriculum vitae to the Medical Practitioner Review Panel on which he misrepresented his Board certification status, all as more fully detailed above.

2. Respondent shall, within six months of the date of entry of this Order, attend and successfully complete a course, acceptable to the Board, in medical ethics. Respondent may satisfy

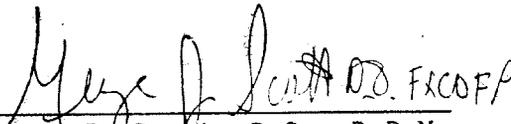
the requirements of this paragraph by attending a medical ethics course that has previously been approved by the Board (a list of which he may obtain from the Board office), or by obtaining written approval for any other course that he may propose to take to satisfy the requirements of this paragraph from the Board's consultant Medical Director (which approval may be sought by providing all available information about any proposed course to the Medical Director for review). Respondent is responsible to ensure that documentation of his successful completion of any proposed course is provided directly to the consultant Medical Director of the Board by the course provider.

3. Respondent shall, within six months of the date of entry of this Order, attend and successfully complete a course, acceptable to the Board, in medical record keeping. Respondent may satisfy the requirements of this paragraph by attending a medical record keeping course that has previously been approved by the Board (a list of which he may obtain from the Board office), or by obtaining written approval for any other course that he may propose to take to satisfy the requirements of this paragraph from the Board's consultant Medical Director (which approval may be sought by providing all available information about any proposed course to the Medical Director for review). Respondent is responsible to ensure that documentation of his successful completion of any proposed course is provided directly to the consultant Medical

Director of the Board by the course provider.

4. Respondent is hereby assessed a civil penalty in the amount of \$10,000, which penalty shall be payable in four equal \$2500 installments. The initial \$2500 installment is to be paid at the time of entry of this Order; the second \$2500 installment is to be paid on or before April 15, 2014; the third \$2500 installment is to be paid on or before July 15, 2014 and the final \$2500 installment is to be paid on or before October 15, 2014.

NEW JERSEY STATE BOARD OF
MEDICAL EXAMINERS

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

I represent that I have carefully read and considered this Order, understand its terms, and consent to the entry of the Order by the Board.


Alexis C. Bobila, M.D.

Dated: 1/7/14

**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.