

FILED

February 21, 2014

NEW JERSEY STATE BOARD  
OF MEDICAL EXAMINERS

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

IN THE MATTER OF THE	:	
SUSPENSION OR REVOCATION	:	
OF THE LICENSE OF	:	ADMINISTRATIVE ACTION
	:	
	:	
<b>Paul A. Ostergaard, M.D.</b>	:	<b>INTERIM</b>
<b>LICENSE NO.: 25MA02316400</b>	:	<b>CONSENT ORDER</b>
	:	
	:	
TO PRACTICE MEDICINE AND	:	
SURGERY IN THE STATE OF NEW	:	
JERSEY	:	

This matter was opened to the State Board of Medical Examiners ("Board") upon receipt of information that on September 11, 2013, Respondent Paul A. Ostergaard, M.D. pled guilty to a one-count Information charging him with using the mail and a facility in interstate commerce to facilitate the carrying on of commercial bribery by accepting bribes in connection with referrals of laboratory testing services in violation of the Travel Act, Title 18, United States Code.

CERTIFIED TRUE COPY

Section 1952(a)(3) in the U.S. District Court for the District of New Jersey.

Respondent admitted to receiving a total exceeding \$50,000 in exchange for referrals of Medicare patients to Biodiagnostic Laboratory Services, LLC, for blood specimen testing from December 2006 to July 2009. Respondent consented to a forfeiture money judgment in the amount of \$53,900 and is scheduled for sentencing on March 13, 2014.

The parties being desirous of resolving this matter on an interim basis, and the Board, being satisfied that entry of the within Order obviates the need for formal proceedings, and being further satisfied that good cause exists to support entry of the within Order,

IT IS, therefore, on this 21 day of February, 2014,

ORDERED and AGREED that:

1. Respondent, Paul A. Ostergaard, M.D.'s license to practice medicine in the State of New Jersey is hereby voluntarily surrendered to be deemed a temporary suspension pending the final resolution of all criminal charges against him and further Order of the Board, effective immediately.

2. Respondent shall immediately return his original New

Jersey medical license and CDS registration to the New Jersey State Board of Medical Examiners, P.O. Box 183, Trenton, New Jersey 08625-0183.

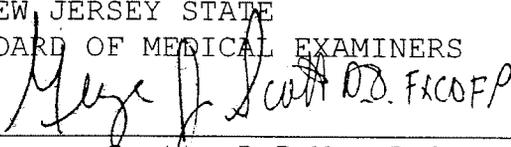
3. Respondent shall comply with the attached "Directives Applicable to Any Medical Board Licensee Who is Disciplined or Whose Surrender of Licensure Has Been Accepted," which are incorporated herein by reference.

4. Failure to comply with any provision of this Order will result in subsequent disciplinary proceedings for failure to comply with an Order of the Board.

5. The parties hereby stipulate that entry of this Order is without prejudice to further action, investigation or restrictions upon reinstatement, by this Board, the Attorney General, the Drug Control Unit, the Director of the Division of Consumer Affairs or other law enforcement entities resulting from Respondents' conduct prior to entry of this Order.

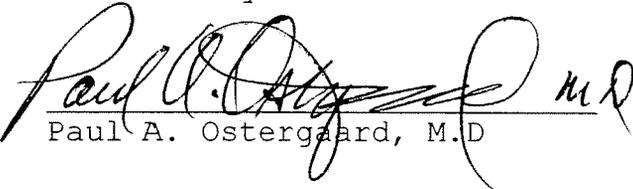
NEW JERSEY STATE  
BOARD OF MEDICAL EXAMINERS

By:

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

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

Consent is hereby given as to the form and entry of this Order.

  
Paul A. Ostergaard, M.D.

  
Kevin Buchan, Esq.  
Attorney for Respondent

**NOTICE OF REPORTING PRACTICES OF BOARD  
REGARDING DISCIPLINARY ACTIONS**

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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.