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FILED
March 18, 2015
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 : Administrative Action
APPLICATION OF :
 :
 : **CONSENT ORDER**
 Arnold Jacques, M.D. : **OF REINSTATEMENT OF LICENSE**
 License No.25MA04711800 :
 :
 FOR REINSTATEMENT OF LICENSURE:
 TO PRACTICE MEDICINE IN THE :
 STATE OF NEW JERSEY :

This matter was opened to the New Jersey State Board of Pharmacy ("The Board") upon receipt of Respondent Arnold Jacques' application for reinstatement of his license to practice medicine in this State. Respondent previously entered into a Consent Order with the Board on July 29, 2011 after pleading guilty to Conspiracy to Commit Health Care Claims Fraud and Medicaid Fraud in violation of N.J.S.A. 2C:5-1 and N.J.S.A. 2C:21-4.3. He was sentenced to three years incarceration, payment of restitution in the amount of \$49,941, and a two year forfeiture of his medical license or forfeiture until completion

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of the Intensive Supervision Probation Program ("ISP"). Pursuant to the 2011 Order, Respondent's license was suspended for two years or until such time as he demonstrated successful completion of the ISP.

In support of his petition for reinstatement of license, Respondent submitted documentation of successful completion of all continuing medical education courses required by N.J.A.C. 13:35-6.15(b), (d) and (f) and all criminal sentencing and probation terms including payment of criminal fines. Respondent has complied fully with all the terms of the 2011 Consent Order entered with the Board and appears to have sincerely reflected on his behavior and resolved to embrace a more ethical professional standard. While testifying before a Committee of the Board, Respondent indicated that going forward he would not invest trust in individuals he does not know and he would be more involved with the individuals he may be responsible for supervising.

The Board finding that Respondent has demonstrated sufficient rehabilitation, fitness and ability to practice medicine, and has complied with the conditions set forth in the Consent Order of July 29, 2011; and Respondent, being desirous of resolving this matter without the necessity of further formal proceedings, and agreeing to waive any right to same, and the Board having determined that this Order is sufficiently

protective of the health, safety and welfare of the public, and all parties agreeing to the terms of this Order;

ACCORDINGLY, IT IS on this 18 day of March, 2015,

ORDERED THAT:

1. Respondent's license to practice medicine in the State of New Jersey is hereby reinstated subject to his full compliance with all reinstatement requirements and fees and the conditions set forth in this Order.

2. Until further Order of the Board, Respondent shall inform the Board in writing within 10 days of beginning employment and of any employment changes, including periods of unemployment, and shall provide a detailed description of each job, his role and responsibilities.

3. Until further Order of the Board, if Respondent engages in private practice he shall hire, at his own expense, a practice monitor (the "Practice Monitor") who shall be approved by the Board prior to commencing the monitoring functions required by this agreement. The practice monitor shall be a New Jersey licensed health care professional and shall be experienced in and familiar with all procedures that Respondent performs in his medical practice. The Practice Monitor may be a licensed physician or an individual holding a limited license provided adequate demonstration is made that the Practice Monitor has an appropriate background to be able to accurately

record all medical services Respondent may perform. The Practice Monitor shall accompany Respondent when he engages in medical practice, shall observe all medical practice of Respondent and shall prepare a contemporaneous daily log detailing the medical procedures and/or services that Respondent provides to individual patients, and shall certify to the accuracy of said log. The Practice Monitor shall provide copies of the log of services performed to the Billing Monitor on such schedule as may be deemed necessary to allow the Billing Monitor to perform his or her designated functions. The Practice Monitor shall immediately (within twenty four hours of awareness of occurrence) report to the Board orally and in writing any actions by Respondent in violation of this Order, and any violation of the statutes or regulations governing the practice of medicine. The Practice Monitor shall provide the Board with quarterly reports, to include copies of all daily logs prepared, details of the monitoring activity performed, and note any perceived improprieties, practice deviations or regulation violations observed. The Practice Monitor shall confirm with the Board, in writing, that he/she has read this Consent Order and agrees to the monitoring and reporting requirements herein.

4. Until further Order of the Board, if Respondent engages in private practice he shall hire, at his own expense, a billing monitor (the "Billing Monitor") who shall be approved by

the Board prior to commencing the monitoring functions required by this agreement. The Billing Monitor shall be an individual experienced in and familiar with medical billings and CPT coding. The Billing Monitor shall review all bills that Respondent submits, on such schedule as the Billing Monitor shall, in his or her discretion, deem necessary but in no event less frequently than once every two weeks. The Billing Monitor shall then determine whether Respondent is accurately and appropriately billing and coding for medical services provided and shall rely upon the log entries prepared by the Practice Monitor (and not upon any information which may be independently provided by Respondent) when making said determination. The Billing Monitor shall make an immediate report to the Board of any instances where he or she makes a determination that Respondent submitted an inappropriate, unsubstantiated, or inappropriately coded bill. The Billing Monitor shall also submit quarterly reports to the Board detailing the monitoring activity performed, and noting any perceived improprieties, practice deviations or regulation violations observed. The Billing Monitor shall confirm with the Board, in writing, that he/she has read this Consent Order and agrees to the monitoring and reporting requirements herein.

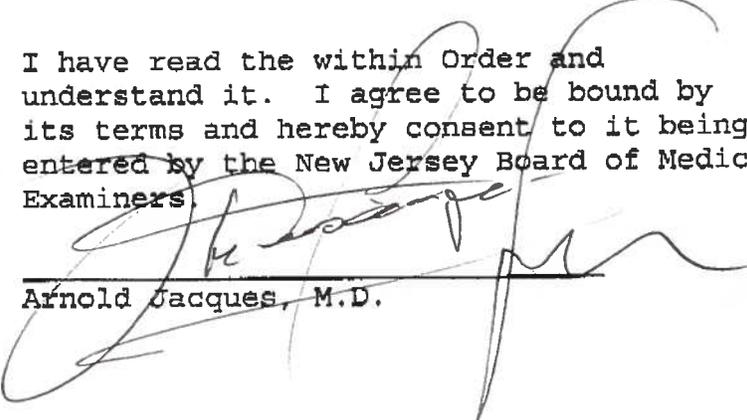
5. If Respondent engages in institutional practice Respondent must cause the Hospital Administrator and/or Chief of

Psychiatry to submit quarterly reports to the Board. The Administrator or Chief shall immediately (within twenty four hours of awareness of occurrence) report to the Board orally and in writing any actions by Respondent in violation of this Order, and any violation of the statutes or regulations governing the practice of medicine. The Administrator or Chief shall confirm with the Board, in writing, that he/she has read this Consent Order and agrees to the monitoring and reporting requirements herein.

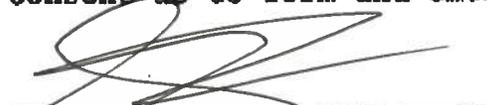
NEW JERSEY STATE BOARD OF MEDICAL EXAMINERS

By: 
Stewart Berkowitz, M.D.
President

I have read the within Order and understand it. I agree to be bound by its terms and hereby consent to it being entered by the New Jersey Board of Medical Examiners.


Arnold Jacques, M.D. 2/5/15

Consent as to form and entry:


Guillermo R. Arango, Esq.
Attorney for Respondent 2/5/15

Consent as to monitoring and reporting requirements as to the billing monitor:

Print Name:

Consent as to monitoring and reporting requirements as to the practice monitor:

Print Name:

Consent as to monitoring and reporting requirements as to the Hospital Administrator and/or Chief of Psychiatry:

Print Name: _____

Title: _____