

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

IN THE MATTER OF :
 :
 : Administrative Action
Alfredo Garcia, M.D. :
 :
 : NJ License #25MA03255200 :
 : FINAL ORDER
 : OF DISCIPLINE
 :
TO PRACTICE MEDICINE AND SURGERY :
 :
 : IN THE STATE OF NEW JERSEY :
 :
 :

This matter was opened to the New Jersey State Board of Medical Examiners ("Board") upon receipt of information which the Board has reviewed and on which the following findings of fact and conclusions of law are made;

FINDINGS OF FACT

1. Respondent, Alfredo Garcia, M.D., is the holder of License No. 25MA03255200 and was licensed to practice medicine and surgery in the State of New Jersey. Respondent's license was rendered "inactive" pursuant to an interim consent order entered into with the Board on July 13, 2010.

2. On June 2, 2010, a Grand Jury indictment issued charging Respondent Garcia with multiple acts of criminal sexual contact and sexual assault in Bergen and Passaic counties. The

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alleged conduct occurred with patients of Respondent's practice in the course of medical treatment.

3. On March 6, 2012, Respondent Garcia entered a guilty plea with regard to the pending indictment. Pursuant to that plea, Respondent admitted that he had engaged in acts of criminal sexual contact with regard to eight patients and criminal sexual assault of a ninth patient.

4. On or about December 14, 2012, Respondent Garcia was sentenced to serve seven years of incarceration at the Adult Diagnostic and Treatment Center in Avenel, NJ.

5. As a result of Respondent's conviction, on or about August 21, 2013, the New Jersey Board of Medical Examiners filed a Provisional Order of Discipline which ordered that Respondent's license to practice medicine and surgery in New Jersey be provisionally revoked.

CONCLUSIONS OF LAW

Respondent's conviction as set forth provides grounds to take disciplinary action against Respondent's license to practice medicine and surgery in New Jersey in that it demonstrates repeated acts of negligence in violation of N.J.S.A. 45:1-21(d); gross negligence in violation of N.J.S.A. 45:1-21(c); professional misconduct in violation of N.J.S.A.

45:1-21(e); and the conviction of a crime of moral turpitude and/or one relating adversely to the practice of medicine in violation of N.J.S.A. 45:1-21(f). Respondent's conviction also demonstrates a violation of the Board's sexual misconduct regulation, N.J.A.C. 13:35-6.3, and thus a violation of N.J.S.A. 45:1-21(h) and a failure to maintain the good moral character that is a prerequisite of licensure pursuant to N.J.S.A. 45:9-27.13.

DISCUSSION ON FINALIZATION

Based on the foregoing findings and conclusions, a Provisional Order of Discipline ("POD") was entered by this Board on August 21, 2013 and served upon Respondent. The POD was subject to finalization by the Board at 5:00 p.m. on the 30th business day following entry unless Respondent requested a modification or dismissal of the stated Findings of Fact or Conclusions of Law by submitting a written request for modification or dismissal setting forth in writing any and all reasons why said findings and conclusions should be modified or dismissed and submitting any and all documents or other written evidence supporting Respondent's request for consideration and reasons therefore.

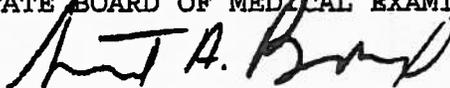
Respondent did not submit a response in connection with the Provisional Order of Discipline. Accordingly, upon review of this matter, the Board determined that further proceedings were unnecessary and that the Provisional Order of Discipline should be finalized without change. This Final Order of Discipline ("FOD") permits this matter to be re-opened should Respondent wish to challenge the penalty of revocation.

ACCORDINGLY, IT IS ON THIS 13th day of AUGUST, 2015, ORDERED THAT:

1. Respondent's license to practice medicine and surgery in the State of New Jersey shall be, and hereby is, REVOKED.

2. In the event that Respondent seeks an opportunity to be heard pursuant to N.J.S.A. 45:1-21.3 said opportunity shall be provided and shall be limited to a showing by Respondent that the Board's Findings of Fact expressed herein should be modified or set aside.

STATE BOARD OF MEDICAL EXAMINERS



By: _____

Stewart A. Berkowitz, M.D.
Board President