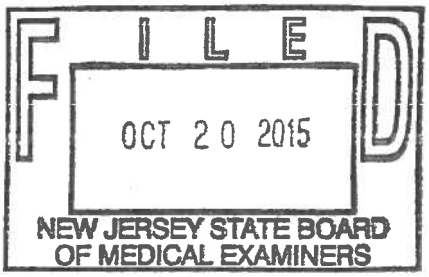

STATE OF NEW JERSEY
DEPARTMENT OF LAW & PUBLIC SAFETY
DIVISION OF CONSUMER AFFAIRS
STATE BOARD OF MEDICAL EXAMINERS
PERFUSIONISTS ADVISORY COMMITTEE

In the matter of:

MARC J. SKEHAN, C.C.P.

CONSENT ORDER GRANTING LICENSURE AND IMPOSING REPRIMAND

This matter was opened before the Perfusionists Advisory Committee (the "PAC") of the State Board of Medical Examiners (the "Board"), upon the PAC's receipt of an application for initial licensure from respondent Marc J. Skehan, C.C.P., dated December 29, 2014. On the license application, respondent answered "no" to the following question:

> (6) Have you ever been summoned; arrested; taken into custody; indicted; tried; charged with; admitted into pre-trial intervention; or pled guilty to any violation of law, ordinance, felony, misdemeanor or disorderly persons offense, in New Jersey, any other state, the District of Columbia or in any other jurisdiction?

Following a mandatory criminal history background check, the PAC received information that respondent in fact had been arrested on March 14, 2007 by the New Hampshire State Police, and had then been charged with one count of possession of a controlled drug (information regarding the disposition of the arrest/charge was reported to be "unavailable"). The PAC additionally was provided with a "criminal history record" from the State of New

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Hampshire which states that respondent was charged with the misdemeanor offense of possession of a controlled drug (with a violation date reported of March 14, 2007), that the case was "placed on file without finding," and that respondent's sentence was "good behavior: six months."

Respondent appeared before the PAC on August 5, 2015, and testified regarding his arrest in New Hampshire, the subsequent disposition of the charges against him, and the manner in which he completed his licensure application. Respondent testified generally that he had been returning to college following a ski trip, as a passenger in a car driven by a friend, J.T. J.T.'s car was pulled over by the New Hampshire State Police, an open container of alcohol and marijuana was found in the trunk, and respondent was then charged with possession of marijuana. Respondent further testified that he was advised by the police officer who arrested him that the charges would be "dismissed" if he submitted to drug testing, and that he did so by a witnessed urine screening (within one week of the date of the arrest). The results of that screening were all negative, and the charges against him were then dismissed after he appeared in court and thereafter remained on "good behavior" for six months.

Respondent further testified that he had never been arrested or charged with any other offense (which testimony is consistent with information returned to the PAC following the

criminal history background check). Finally, respondent conceded that he should have disclosed the arrest in response to question six on the licensure application.

The PAC found that respondent misrepresented information when responding to question six on the license application, as that question required disclosure of his arrest and of his having been charged with possession of controlled drugs. The PAC therefore concluded that grounds to impose disciplinary sanctions against respondent exist pursuant to N.J.S.A. 45:1-21(b) and/or N.J.A.C. 13:35-13.15(a)(4). The PAC was satisfied, however, that respondent otherwise truthfully completed the licensure application, that he meets all qualifications for licensure as a perfusionist in the State of New Jersey, and that respondent's one arrest in March 2007 for a misdemeanor drug possession charge does not disqualify him from eligibility for licensure as a perfusionist at this time.

The parties desiring to resolve this matter, and both the PAC and the State Board finding that respondent presently meets all requirements for licensure as a perfusionist in New Jersey, and finding that the within resolution is appropriate and in the public interest,

IT IS on this 20th day of October, 2015

ORDERED and AGREED:

1. Respondent Marc J. Skehan's application for licensure as a perfusionist in the State of New Jersey is hereby granted.

2. Respondent is formally reprimanded for having misrepresented information on the application he submitted for licensure as a perfusionist to the PAC dated December 29, 2014 - specifically, for failing to have disclosed his arrest on March 14, 2007 and the charges that were then filed against him, when responding to a question on the application which required that disclosure to be made.

3. Respondent is assessed a civil penalty in the amount of $500, which penalty shall be payable in full upon the entry of this Order.

PERFUSIONISTS ADVISORY COMMITTEE
of the STATE BOARD OF MEDICAL
EXAMINERS

By: _____
Norman A. Norton, C.C.P.
Committee Chairman

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

_____
Marc J. Skehan, C.C.P.

Dated: 10-06-15

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.