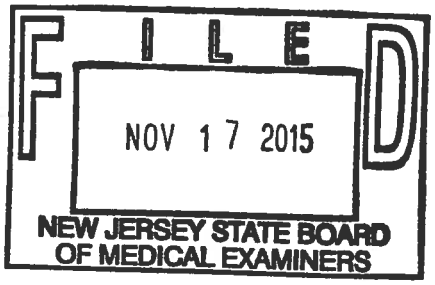
JOHN J. HOFFMAN
ACTING ATTORNEY GENERAL OF NEW JERSEY
Division of Law
124 Halsey Street
P.O. Box 45029
Newark, New Jersey 07101

By: Bindi Merchant
Deputy Attorney General
Tel. (973) 648-74754
Bindi.Merchant@dol.lps.state.nj.us
Attorney ID: 023302007



STATE OF NEW JERSEY
DEPARTMENT OF LAW AND PUBLIC SAFETY
DIVISION OF LAW
BOARD OF MEDICAL EXAMINERS

IN THE MATTER OF THE SUSPENSION OR REVOCATION OF THE LICENSE OF **JOHN R. MCGEE, M.D.** **License No. 25MA05503000** TO PRACTICE MEDICINE AND SURGERY IN THE STATE OF NEW JERSEY	Administrative Action **AMENDED** **INTERIM CONSENT ORDER**

This matter was opened to the New Jersey State Board of Medical Examiners ("Board") upon the filing of a Verified Complaint and Order to Show Cause on August 4, 2015, with a return date of August 12, 2015 seeking the entry of an Order temporarily suspending the license of Respondent, John J. McGee, M.D., to practice medicine and surgery in the State of New Jersey pending completion of plenary proceedings.

The Verified Complaint alleges that Respondent's acts constitute violations of N.J.S.A. 45:1-21 (c) and (d) (gross negligence, malpractice or incompetence, and/or repeated acts of

CERTIFIED TRUE COPY

negligence, malpractice or incompetence); 45:1-21(e) (professional misconduct); 45:1-21(h) (violation of Board regulations); 45:1-21(m) (indiscriminate prescribing); and 45:1-22 (clear and imminent danger to the public warranting a temporary suspension of his license to practice medicine).

Upon Respondent's request for an adjournment of the August 12, 2015 date to afford himself and his counsel, Frank P. Arleo, Esq., additional time to prepare for the temporary suspension hearing, Respondent entered into an Interim Consent Order to cease and desist from prescribing any Controlled Dangerous Substances (all schedules) and HGH (Human Growth Hormones) and/or anabolic steroids to any and all patients pending a hearing on the Attorney General's application for temporary suspension on September 2, 2015.

The parties being desirous of entering into an interim resolution of this matter pending a plenary hearing, and it appearing that Respondent has read the terms of the within Order and understands their meaning and effect and consents to be bound by same, and the Board finds that the within disposition is adequately protective of the public health, safety and welfare, and for good cause shown,

IT IS, therefore, on this 17 day of November, 2015,

ORDERED THAT:

1. Respondent shall cease and desist from prescribing (including administering and/or dispensing) all controlled dangerous substances ("CDS"), Human Growth Hormones ("HGH") and/or Anabolic Steroids, to any and all patients for any reason(s) or purpose(s) until further order of the Board.

2. Respondent shall undergo a full evaluation and assessment of his general medical

knowledge and skills, including but not limited to the prescribing of CDS (all schedules), HGH and/or anabolic steroids, and any other areas deemed appropriate by the Center for Personalized Education for Physicians ("CPEP") or by the Upstate New York Clinical Competency Center for Albany Medical College ("Assessment Center"). Respondent shall fully and satisfactorily follow and complete all of the recommendations the CPEP or Assessment Center may make with regard to additional evaluations, practice restrictions and professional education. The full and complete results from the Assessment Center or CPEP and the results of completion of the recommendations, if any, must be provided to the Board. Respondent will ensure that all necessary releases are executed with the Assessment Center or CPEP so that the Board and Attorney General will have access to his evaluations, assessments, and possible recommendations made by the Assessment Center or CPEP shall be the responsibility of Respondent. The costs for this evaluation and assessment shall be the responsibility of Respondent.

3. Respondent shall have a Board approved monitor review randomly select 25 charts to review per quarter. The Board approved monitor shall provide the Board's Medical Director, Sindy Paul, M.D. with quarterly reports regarding Respondent's practice. Respondent expressly waives any claim to privilege or confidentiality that he may have concerning reports and disclosures to the Board, and use by the Board of that information in any license proceedings, including any information obtained or discovered by the Board approved monitor or any other person. All costs associated with the supervising outlined above shall be the responsibility of the Respondent and paid directly by the Respondent, including the entirety of the cost of the Board approved monitor's assistance.

4. The parties hereby stipulate that entry of this Order is without prejudice to further

action, investigation, and prosecution by this Board, the Acting Attorney General, the Drug Control Unit, the Director of the Division of Consumer Affairs or other law enforcement entities resulting from Respondent's conduct prior to the entry of this Order. The Board shall retain jurisdiction to enforce the terms of this Order. Upon receipt of any reliable information indicating that Respondent has violated any term of this Order, the Board reserves the right to bring further disciplinary action.

NEW JERSEY STATE
BOARD OF MEDICAL EXAMINERS

By: _____
Stewart Berkowitz, M.D.
Board President

I have read the within Order, understand its terms and agree to be bound by them.

_____, M.D.
John R. McGee, M.D.

Dated: 11/10/15

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

_____
Frank P. Arleo, Esq.
Attorney for the Respondent

Dated: 11/11/15

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.