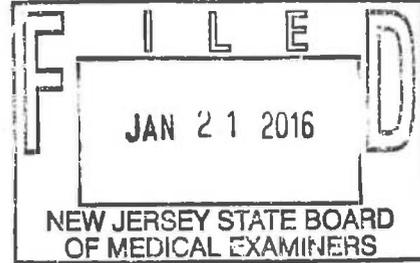


JOHN J. HOFFMAN
ACTING ATTORNEY GENERAL OF NEW JERSEY
Division of Law
124 Halsey Street - 5th Floor
P.O. Box 45029
Newark, New Jersey 07101
Attorney for the State Board
of Medical Examiners



By: Meaghan Goulding
Deputy Attorney General
Tel. (973)648-4741

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

IN THE MATTER OF THE LICENSE OF

Thomas D'Amato, M.D.
License No. 25MA08487300

TO PRACTICE MEDICINE AND SURGERY
IN THE STATE OF NEW JERSEY

Administrative Action

CONSENT ORDER OF
SUSPENSION OF LICENSURE

This matter was opened to the New Jersey State Board of Medical Examiners ("Board") upon receipt of information that on or about March 2, 2015, a Consent Agreement was entered into with Respondent, Thomas D'Amato, M.D., and the New York State Board for Professional Medical Conduct at which time Respondent's medical license was suspended for thirty-six (36) months, entirely stayed, and he was placed on probation with certain terms and conditions, including the completion of a medical ethics course.

More specifically, Respondent acknowledged in the Consent Order that he could not successfully defend against at least one of the acts of misconduct alleged by New York. New York had previously

CERTIFIED TRUE COPY

filed a "Statement of Charges" against Respondent charging him with two acts of professional misconduct. The first charge alleged that he willfully made or filed false reports i.e. Certificate(s) of Examining Physician for Involuntary Commitment, with respect to two patients. The second charge alleged that on or about April 9, 2011, Respondent, willfully made or filed a false report; i.e. the answer to a question on his license registration renewal form for the period September 1, 2011 through August 31, 2013 that he filed with New York State. It was further alleged that Respondent did not disclose on a license renewal form that he had resigned from Gracie Square Hospital.

As a result of the foregoing, the Board has determined that Respondent's actions, as well as the New York disciplinary action, provide a basis to take disciplinary action against Respondent's New Jersey license to practice medicine and surgery pursuant to N.J.S.A. 45:1-21(b), N.J.S.A. 45:1-21(e), and N.J.S.A. 45:1-21(g).

IT IS NOW APPEARING that the parties wish to resolve this matter without recourse to formal proceedings; and that Respondent hereby waives any right to a hearing in this matter; and the Board finding that the within Order adequately protects the public's health, safety, and welfare; and for good cause shown;

IT IS ON THIS 21st day of JANUARY, 2016, ORDERED AND AGREED THAT:

1. Respondent's license to practice medicine and surgery in

the State of New Jersey shall be, and hereby is, suspended for thirty-six (36) months, to be stayed in its entirety and served as period of probation commencing and consistent with the initiation of the probationary period as set forth in the New York Order. The probationary period shall not terminate until Respondent demonstrates to the Board's satisfaction that the probationary period in New York has successfully terminated; and

2. Respondent agrees that if the Board, upon receipt of reliable information and in its sole discretion, determines during the probationary period that the Respondent has failed to comply with any provision of the New York Order, or is in violation of any of this Board's statutes and/or regulations, then the period of stayed suspension provided above shall be activated and Respondent's New Jersey license to practice medicine and surgery shall be automatically and immediately suspended without a hearing, in addition to any other limitations or restrictions as the Board deems appropriate. Within five (5) days of notification of the automatic suspension, Respondent may provide a written request for a hearing before a Committee of the Board limited to the sole issue of whether a violation of this Consent Order has occurred.

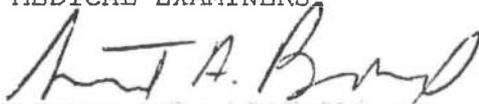
3. Respondent may petition the Board for modification of the Consent Order if the Order in New York is modified or vacated. The Board may require Respondent to appear before a Committee to discuss his fitness to practice medicine in New Jersey as well as the

underlying New York disciplinary action. At that time, it will remain within the Board's sole discretion whether the New Jersey Consent Order should be modified to reflect any changes undertaken in New York.

4. Respondent shall comply with the Directives Regarding Licensees who have been disciplined, which are attached hereto and made a part hereof.

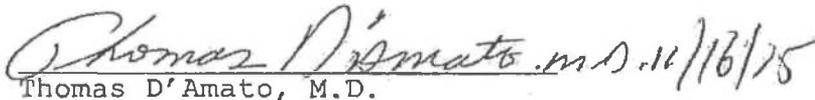
NEW JERSEY STATE BOARD OF
MEDICAL EXAMINERS

By:



Stewart A. Berkowitz, M.D.
Board President

I have read and understand
this Consent Order and agree
to be bound by its terms.
I further hereby consent to
the entry of this Consent Order.



Thomas D'Amato, M.D. 11/16/15

Thomas D'Amato, M.D.



Thomas J. Decker ESQ
Attorney For Thomas D'Amato, M.D. 12/10/15

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.