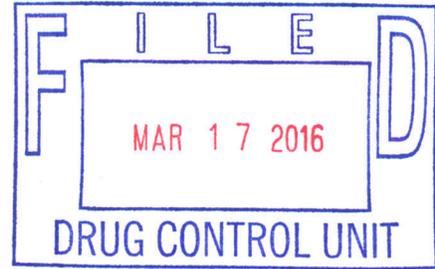


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STATE OF NEW JERSEY  
DEPARTMENT OF LAW AND PUBLIC SAFETY  
DIVISION OF CONSUMER AFFAIRS

IN THE MATTER OF THE TEMPORARY  
SUSPENSION OF THE NJ CDS  
REGISTRATION OF

**HERBERT J. RUDOLPH, M.D.**

**License No. 25MA04904500**  
**NJ CDS Registration No. D04541900**

Administrative Action

**CONSENT ORDER OF  
TEMPORARY SUSPENSION  
OF NJ CDS REGISTRATION**

This matter was opened to Steve C. Lee, Acting Director of the New Jersey Division of Consumer Affairs (the "Director") on or about April 7, 2015, upon receipt of information that Herbert J. Rudolph, M.D., New Jersey State Board of Medical Examiners (the "Board") License No. 25MA04904500, NJ CDS Registration No. D04541900 ("Respondent") was engaged in the prescribing of Controlled Dangerous Substances ("CDS") in the usual course of professional practice, without legitimate medical purpose in violation of N.J.A.C. 13:45H-7.4. His conduct

provides basis under N.J.S.A. 24:21-12(a)(3) for the Director to suspend or revoke Respondent's NJ CDS registration.

The information provided to the Director reflects that on or about March 16, 2016, the Enforcement Bureau of the Division of Consumer Affairs ("EB") conducted an inspection and an investigation of Respondent's medical office. On or about that date, a representative of the EB served Respondent with a Demand for Inspection of Professional Premises as well as a Subpoena Duces Tecum. Through the course of the investigation, it was determined that Respondent had been prescribing CDS without legitimate medical purpose, notably highly addictive narcotics, to his patients.

Respondent, who maintains a medical practice located at 317 East Main Street, Tuckerton, NJ 08087, having been advised that he may consult legal counsel before signing this interim order, does not admit the conduct alleged, but has expressed his consent to the temporary suspension of his NJ CDS Registration pending further order of the Director.

The Director, finding the within disposition adequately protective of the public health, safety and welfare, and other good cause having been shown,

IT IS, therefore, on this 17<sup>th</sup> day of March, 2016,

ORDERED THAT:

1. Respondent's New Jersey CDS registration No. D04541900 is temporarily suspended pending further order of the Director.
2. Respondent shall immediately return his original New Jersey CDS registration to Jessica Kelley, Acting Executive Director, Drug Control Unit, P.O. Box 45005, 124 Halsey Street, Newark, New Jersey, 07101, and shall immediately cease and desist from prescribing or dispensing any CDS medications.

3. Pursuant to N.J.S.A. 24:21-12(f), the Director shall promptly notify the DEA of the entry of this Interim Consent Order.

4. Pursuant to N.J.S.A. 24:21-12(e) the Director further orders that Respondent immediately place under seal all prescription pads and any and all CDS in his possession, except for any CDS Respondent possesses for personal use pursuant to a duly issued prescription. Respondent's prescription pads and CDS shall remain under seal until such time as a final order which includes the disposition of these sealed items is entered by the Director and/or Board in this matter.

5. Respondent understands that this Interim Order is independent of, and not in lieu of, proceedings on behalf, or by the DEA, and further agrees that resolution of pending DEA matters will not resolve any matter which has, or could, be brought before the Board or Director. The parties hereby stipulate that entry of this Order is without prejudice to the filing of an Administrative Complaint and/or further investigation and/or action by this Board, Director or other law enforcement entities resulting from Respondent's conduct. The parties further stipulate that the entry of this Order is without admission of any wrongdoing by Respondent.

6. This order shall remain in effect until specifically modified by the Director through the entry of a subsequent order(s).

7. Respondent may apply to the Director to request a hearing for modification of the terms of this order. If Respondent requests a hearing to modify this Interim Order, Director shall convene a hearing within forty-five (45) days of Respondent's request to determine whether the restraints in the Interim Order should continue under the requirements set forth in N.J.S.A. 24:21-12.

8. Respondent has been specifically informed that he may consult an attorney to represent him in this matter. Respondent acknowledges that he has been advised of the ability to consult with counsel and that he chooses to voluntarily enter into this Interim Consent Order.

NEW JERSEY DIVISION OF CONSUMER AFFAIRS

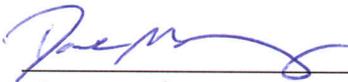
By:   
Steve C. Lee,  
Acting Director

I have read the within Order,  
understand its terms and agree  
to be bound by them. I consent  
to entry of the Order by the  
Director of the Division of  
Consumer Affairs.

  
Herbert J. Rudolph, M.D.

Dated: 3/16/16

Witness:

  
David Menendez  
Print Name

Dated: 3/16/16

Witness:

  
Janelle DiMatteo  
Print Name

Dated: 3/16/16