

OPEN MINUTES - N.J. STATE BOARD OF MEDICAL EXAMINERS - PG. 1
DISCIPLINARY MATTERS PENDING CONCLUSION - MAY 8, 2013

A meeting of the New Jersey State Board of Medical Examiners was held on Wednesday, May 8, 2013 at the Richard J. Hughes Justice Complex, 25 Market Street, 4th Floor Conference Center, Trenton, New Jersey for Disciplinary Matters Pending Conclusion, open to the public. The meeting was called to order by George Scott, D.P.M., D.O., Board President.

PRESENT

Board Members Berkowitz, Ciechanowski, Cheema, DeGregorio, Jordan, Krauss, Lomazow, Maffei, Miksad, Paul, Rajput, Rock, Scott, Stanley, Tedeschi and Walsh.

EXCUSED

Board Members Criss, Mendelowitz and Weiss.

ALSO PRESENT

Senior Deputy Attorney General Dick and Deputy Attorneys General Hafner and Puteska; William V. Roeder, Executive Director of the Medical Board and Harry Lessig, M.D., Consultant Medical Director.

RATIFICATION OF MINUTES

**THE BOARD, UPON MOTION MADE AND SECONDED, VOTED TO
APPROVE THE MINUTES FROM THE MARCH 13, 2013 BOARD MEETING.
THE APRIL MEETING WAS CANCELED.**

HEARINGS, PLEAS AND APPEARANCES

ACKERMAN, Cheryl M.D., License #25MA06096100
William P. Isele, Esq. For Respondent
Sandra Dick S. D.A.G. - Counseling

By way of background, Dr. Ackerman and her attorney appeared before a Committee of the Board on March 6, 2013 for oral argument on the motion for reconsideration of the September 2012 denial of reinstatement. After considering the matter, the Committee recommended that Dr. Ackerman be issued an order denying reinstatement and the continuation of the automatic suspension of her license to practice medicine and surgery in the State of New Jersey until further order of the Board. On March 13, 2013 the Board was asked to accept, reject, or modify the Committee's recommendation on the papers. The Board voted to uphold the Order of the

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Committee and denied Dr. Ackerman's petition for reinstatement.

Submitted for the Board's approval were the Cvs of Dr. Ciolino and Ms Rivamonte. These individuals were submitted on behalf of Dr. Ackerman as she sought approval for them to perform psychiatric and neuropsychological examinations. The matter was heard on the papers. Additionally attached for Board's consideration was a copy of Dr. Ackerman's attorney, Mr. Isele's, recent submission of the Notice of Motion and Brief in Support, as well as the Attorney General's response thereto, in this matter. The substance of the Motion was not heard by the Board on May 8, 2013. However, the Board did consider the manner and schedule in which the Motion would be entertained. This again was heard on the papers, without argument of counsel.

Ms. DeGregorio and Drs. Paul and Berkowitz were recused in this matter and left the room.

THE BOARD, UPON MOTION MADE AND SECONDED, VOTED TO MOVE INTO CLOSED SESSION FOR ADVICE OF COUNSEL AND DELIBERATIONS.

Motion made by Dr. Jordan and seconded by Dr. Cheema. It carried unanimously.

All parties, except administrative and counseling staff, left the room.

Returning to Open Session, the Board's decision was announced.

THE BOARD, UPON MOTION MADE AND SECONDED, MOVED TO DEFER DETERMINATION OF WHETHER TO APPROVE THE CREDENTIALS OF THE PROPOSED EVALUATORS AND WHETHER TO APPROVE ADDITIONAL TESTING FOR DR. ACKERMAN PENDING CONSIDERATION OF RESPONDENT'S MOTION FOR RECONSIDERATION OF THE BOARD'S APRIL 9, 2013 ORDER BASED ON ARGUMENTS OF DR ACKERMAN'S REGARDING THE VALIDITY OF THE TESTING IN THE PRIOR REPORT AND EVALUATORS. RESPONDENT'S MOTION WILL BE CONSIDERED ON THE PAPERS AT THE BOARD JUNE 12, 2013 MEETING. THE ATTORNEY GENERAL'S PAPERS ARE DUE NO LATER THAN MAY 22, 2013 AND DR. ACKERMAN'S REPLY IS DUE NO LATER THAN MAY 28 2013.

Motion made by Dr. Cheema and seconded by Dr. Jordan. It carried unanimously.

IV. OLD BUSINESS

Nothing Scheduled.

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V. NEW BUSINESS

Nothing Scheduled.

VI. OFF AGENDA

KAJI, Vikram MD 25MA02397600
DAG David Puteska, Prosecuting

THE BOARD, UPON MOTION MADE AND SECONDED, MOVED TO APPROVE THE INTERIM CONSENT ORDER FOR COURT ORDERED NEUROPSYCHOLOGICAL AND OTHER MEDICAL AND DIAGNOSTIC TESTING AND MONITORING FOR DR. KAJI.

Motion made by Dr. Stanley and seconded by Dr. Rock. It carried unanimously.

KAUL, Richard MD 25MA06328100
SDAG Sandra Dick, Counseling

THE BOARD, UPON MOTION MADE AND SECONDED, MOVED THAT ITS FULL AUTHORITY TO DETERMINE ANY ANTICIPATED MOTION FOR WITHDRAWAL OF COUNSEL IN DR. KAUL'S CASE WOULD BE DELEGATED TO THE BOARD PRESIDENT PRIOR TO THE NEXT BOARD MEETING.

Motion made by Dr. Cheema and seconded by Dr. Jordan. It carried unanimously.

Respectfully Submitted,

George Scott, D.O., D.P.M.
Board President

WVR/dt/br