

**NJ STATE BOARD OF MEDICAL EXAMINERS
OPEN DISCIPLINARY MINUTES**

- JULY 11, 2001

A meeting of the New Jersey State Board of Medical Examiners was held on Wednesday, July 11, 2001 at the Richard J. Hughes Justice Complex, 25 Market Street, 4th Floor, Conference Center, Trenton, New Jersey for OPEN DISCIPLINARY MINUTES, open to the public. The meeting was called to order by David M. Wallace, M.D., Chairperson for Open Disciplinary Matters.

PRESENT

Present were Board Members Chen, Criss, DiFerdinando, Farrell, Harrer, Lucas, Moussa, Patel, Perry, Reid, Ricketti, Robins, Rokosz, Trayner, Wallace and Walsh.

EXCUSED

Board Members Desmond, Haddad, Huston and Weiss.

ALSO PRESENT

Deputy Attorneys General Albertson, Dick, Joyce, Levine and Warhaftig; Executive Director Roeder and Medical Director Gluck, New Jersey State Board of Medical Examiners.

RATIFICATION OF MINUTES

The Minutes from the June 13, 2001 Board meeting were approved with clerical changes.

OLD BUSINESS

**1. ARFANIA, Jamshid J., M.D., License #26553 (Without Appearance)
ALBERTSON, B. Michelle, D.A.G., for Complainant**

A Provisional Order of Discipline (POD) was filed December 16, 1997, which would suspend the above physician's license. Enclosed for Board consideration were D.A.G. Albertson's June 22, 2001 letter to the Board; Executive Director Roeder's June 19, 2001 Affidavit with attachments; and the POD with attachments filed December 16, 1997. Dr. Arfania did not respond to the POD.

THE BOARD, UPON MOTION MADE AND SECONDED, VOTED TO FINALIZE THE PROVISIONAL ORDER OF DISCIPLINE WITH A FINAL ORDER OF DISCIPLINE.

**2. BATTALINO, Barbara L., D.O., License #37024 (Without Appearance)
PHAM, Jacqueline, D.A.G., for Complainant**

A Provisional Order of Discipline (POD) was filed March 15, 2001, which would revoke the above physician's license. Enclosed for Board consideration were D.A.G. Pham's June 20, 2001 letter to the Board; D.A.G. Pham's June 20, 2001 letter to Dr. Battalino advising her that this matter will be placed on the Board's July 11, 2001 agenda; Dr. Battalino's March 23 and June 30, 2001 responses requesting modification of the POD; and the POD with attachments filed March 15, 2001.

THE BOARD, UPON MOTION MADE AND SECONDED, VOTED TO FINALIZE THE

PROVISIONAL ORDER OF DISCIPLINE WITH A FINAL ORDER OF DISCIPLINE. THE BOARD WAS NOT PERSUADED BY DR. BATTALINO'S RESPONSE AND WILL NOT GO BEHIND THE CONVICTION. THE BOARD NOTED THAT THE CONVICTION CLEARLY WARRANTED THE PENALTY.

**3. CALLE, Stuart C., M.D., Unlicensed (Without Appearance)
PIETRO, JoAnn, Esq., for Respondent
LEVINE, Debra, D.A.G., for Complainant**

D.A.G. Levine left the room while the Board discussed this matter.

The Board received for review the Consent Order Granting Residency Training Permit with Conditions filed in the matter of Dr. Calle on December 24, 2000 and Ms. Pietro's June 1, 2001 letter with Exhibits A through U, and an additional Exhibit A and B. Ms. Pietro explains in her letter the number of reasons the Board should reconsider the December 24, 2000 Consent Order and to withdraw or modify it. Ms. Pietro further requests that the Board set aside this Order and grant Dr. Calle the opportunity to present his case to the Board. She requests that the Board reopen this matter by way of a hearing before the Board. Also enclosed was D.A.G. Levine's June 28, 2001 response with Exhibits A through D.

THE BOARD, UPON MADE AND SECONDED, VOTED TO DENY RECONSIDERATION OF THE BOARD'S PRIOR ORDER OF DECEMBER 24, 2000.

**4. CARLUCCI, Joseph M., M.D., License #41526 (Without Appearance)
ALBERTSON, B. Michele, D.A.G., for Complainant**

A Provisional Order of Discipline (POD) was filed November 17, 1999, which would revoke the above physician's license. Enclosed for Board consideration were D.A.G. Albertson's June 19, 2001 letter to the Board; Executive Director Roeder's June 4, 2001 Affidavit with attachments; former Executive Director Gleason's March 7, 2000 Affidavit with attachments; and the POD with attachments filed November 17, 1999. Dr. Carlucci did not respond to the POD.

THE BOARD, UPON MOTION MADE AND SECONDED, VOTED TO FINALIZE THE PROVISIONAL ORDER OF DISCIPLINE WITH A FINAL ORDER OF DISCIPLINE.

**5. CHIN, Ed Ming, M.D., License #36268 (Without Appearance)
ALBERTSON, B. Michele, D.A.G., for Complainant**

A Provisional Order of Discipline (POD) was filed November 9, 1998, which would revoke the above physician's license. Enclosed for Board consideration were D.A.G. Albertson's June 20, 2001 letter to the Board; Executive Director Roeder's June 4, 2001 Affidavit with attachments; and the POD with attachments filed November 9, 1998. Dr. Chin did not respond to the POD.

THE BOARD, UPON MOTION MADE AND SECONDED, VOTED TO FINALIZE THE PROVISIONAL ORDER OF DISCIPLINE WITH A FINAL ORDER OF DISCIPLINE.

**6. GEORGE, David Martin, D.O. (Without Appearance)
ALBERTSON, B. Michele, D.A.G., for Complainant**

A Provisional Order of Discipline (POD) was filed November 18, 1999, which would suspend the above physician's license for five years. Enclosed for Board consideration were D.A.G. Albertson's June 19, 2001 letter to the Board; Dr. George's response dated November 21, 1999; and the POD with attachments filed November 18, 1999.

THE BOARD, UPON MOTION MADE AND SECONDED, VOTED TO AMEND THE PROVISIONAL ORDER OF DISCIPLINE TO PARALLEL THE PENNSYLVANIA ACTION WITH A FIVE-YEAR

STAYED SUSPENSION, RETROACTIVE TO OCTOBER 1998 AND AN APPEARANCE BEFORE A COMMITTEE OF THE BOARD PRIOR TO PRACTICING IN NEW JERSEY.

**7. GRABLE, Harvey R., M.D., License #48411 (Without Appearance)
ALBERTSON, B. Michele, D.A.G., for Complainant**

A Provisional Order of Discipline (POD) was filed April 23, 2001, which would suspend the above physician's license for three years. Enclosed for Board consideration were D.A.G. Albertson's June 22, 2001 letter to the Board; Executive Director Roeder's Affidavit; and the POD with attachments filed April 23, 2001. Dr. Grable did not respond to the POD.

THE BOARD, UPON MOTION MADE AND SECONDED, VOTED TO FINALIZE THE PROVISIONAL ORDER OF DISCIPLINE WITH A FINAL ORDER OF DISCIPLINE.

**8. GRAUERHOLZ, John E., License #42216 (Without Appearance)
ALBERTSON, B. Michele, D.A.G., for Complainant**

A Provisional Order of Discipline (POD) was filed October 3, 2000, which would revoke the above physician's license. Enclosed for Board consideration were D.A.G. Albertson's June 12, 2001 letter to the Board; Executive Director Roeder's June 4, 2001 Affidavit with attachments; and the POD with attachments filed October 3, 2000. Dr. Grauerholz did not respond to the POD.

THE BOARD, UPON MOTION MADE AND SECONDED, VOTED TO FINALIZE THE PROVISIONAL ORDER OF DISCIPLINE WITH A FINAL ORDER OF DISCIPLINE.

**9. NARANJO, Percy, M.D., License #35780 (Without Appearance)
ALBERTSON, B. Michele, D.A.G., for Complainant**

A Provisional Order of Discipline (POD) was filed March 20, 2000, which would revoke the above physician's license. Enclosed for Board consideration were D.A.G. Albertson's June 12, 2001 letter to the Board; Executive Director Roeder's June 4, 2001 Affidavit with attachments; and the POD with attachments filed March 20, 2000. Dr. Naranjo did not respond to the POD.

D.A.G. Joyce alerted the Board to the fact that Dr. Naranjo contacted D.A.G. Albertson yesterday to advise that he wished to respond. She noted that, of course, Dr. Naranjo's time for a response had long passed, but it was up to the Board to let him respond at this point.

THE BOARD, UPON MOTION MADE AND SECONDED, VOTED TO DENY DR. NARANJO'S REQUEST TO RESPOND AT THIS TIME AND TO FINALIZE THE PROVISIONAL ORDER OF DISCIPLINE WITH A FINAL ORDER OF DISCIPLINE.

After discussing another matter on the agenda, THE BOARD, UPON MOTION MADE AND SECONDED, VOTED TO REOPEN THIS MATTER.

Dr. Trayner voted in opposition.

THE BOARD, UPON MOTION MADE AND SECONDED, VOTED TO TABLE THIS MATTER UNTIL NEXT MONTH TO GIVE DR. NARANJO THE OPPORTUNITY TO RESPOND TO THE POD. IF THE RESPONSE IS NOT RECEIVED BY THE NEXT BOARD MEETING, THE BOARD WILL GO FORWARD WITH MAKING A DECISION ON THIS MATTER WITHOUT THE DOCTOR'S RESPONSE.

Dr. Lucas voted in opposition.

10. QURTOM, Helmy, M.D., License #59805 (Without Appearance)

LEWIS, Brenda Talbot, D.A.G., for Complainant

A Provisional Order of Discipline (POD) was filed June 6, 2001, which would revoke the above physician's license. Enclosed for Board consideration were D.A.G. Lewis' June 21, 2001 letter to the Board; Dr. Qurtom's June 20, 2001 response requesting modification of the POD; and the POD with attachments filed June 6, 2001.

THE BOARD, UPON MOTION MADE AND SECONDED, VOTED TO FINALIZE THE PROVISIONAL ORDER OF DISCIPLINE WITH A FINAL ORDER OF DISCIPLINE.

11. SUZUKI, Tony, M.D., License #44824 (Without Appearance)

ALBERTSON, B. Michelle, D.A.G., for Complainant

A Provisional Order of Discipline (POD) was filed October 5, 2000, which would revoke the above physician's license. Enclosed for Board consideration were D.A.G. Albertson's June 22, 2001 letter to the Board; Executive Director Roeder's June 19, 2001 Affidavit with attachments; and the POD with attachments filed October 5, 2000. Dr. Suzuki did not respond to the POD.

THE BOARD, UPON MOTION MADE AND SECONDED, VOTED TO FINALIZE THE PROVISIONAL ORDER OF DISCIPLINE WITH A FINAL ORDER OF DISCIPLINE.

12. TROLLINGER, Robert J., M.D. (Without Appearance)

LEWIS, Brenda Talbot, D.A.G., for Complainant

A Provisional Order of Discipline (POD) was filed March 26, 2001, which would revoke the above physician's license. Enclosed for Board consideration were D.A.G. Lewis' June 21, 2001 letter to the Board; Executive Director Roeder's June 19, 2001 Affidavit with attachments; and the POD with attachments filed March 26, 2001. Dr. Trollinger did not respond to the POD.

THE BOARD, UPON MOTION MADE AND SECONDED, VOTED TO FINALIZE THE PROVISIONAL ORDER OF DISCIPLINE WITH A FINAL ORDER OF DISCIPLINE.

BOARD MEMBER ITEMS NOT ON AGENDA

1. AUGUST 8, 2001 BOARD MEETING

Board President Harrer asked that Board Members let Susan Pushman know if they will not be at the next Board meeting so that packets will not be sent to them.

2. CREDENTIALS COMMITTEE MEETINGS

Board President Harrer assigned the following alternates to the Credentials Committee meetings in September and October: Dr. Reid for September 1, 2001; Dr. Patel for September 24, 2001; and Ms. Criss for October 29, 2001.

REPORT OF INTERIM AND FINAL ORDERS FILED WITH THE BOARD

1. DRAESEL, Wayne R., M.D., License #39186 (Toms River, NJ)

CONSENT ORDER GRANTING RESTRICTED LICENSURE filed June 1, 2001. On November 27, 2000, a Consent Order was filed with the Board in which Dr. Draesel surrendered his license to practice medicine and surgery in the State of New Jersey for a minimum of six months. Said surrender was based on an admitted relapse into substance abuse. Dr. Draesel petitioned the Board for restoration of his license. His petition was supported by the Medical Society of New Jersey's Physicians' Health Program (PHP). At his

appearance before a Committee of the Board, Dr. Draesel testified he entered into inpatient treatment at Marworth in Pennsylvania on or about October 23, 2000. Proof submitted to the Board demonstrated that he has achieved a substantial period of drug-free sobriety, has been treated weekly by a psychologist, attends daily support group meetings, and appears to have been totally compliant with the requirements of the PHP. The Board ordered that Dr. Draesel's license to practice medicine and surgery is restored subject to the restrictions specified. He may apply for reinstatement of his Controlled Dangerous Substances (CDS) and DEA registrations. He agreed to refrain from taking any psychoactive substances, including alcohol, unless these substances are prescribed by a treating physician for a documented medical condition, and only if notification is first given to the Executive Medical Director of the PHP. He must submit to random urine monitoring monthly for face-to-face visits with PHP representatives; Alcohol Anonymous meetings at least five times per week until the conclusion of the first three (3) months of his return to practice. He shall continue formal aftercare program with quarterly reports submitted to the Board and immediate notification to the PHP if poor compliance with aftercare program or evidence of relapse. Aftercare program shall continue until such time as his therapist, the PHP Medical Director and Dr. Draesel mutually agree it is no longer required. PHP to notify the Board in writing, if any changes are made in his aftercare program, including but not limited to any change in his therapist. He shall continue ongoing visits with his treating physician, to include medication monitoring. The Board's records reflect Dr. Draesel is not currently employed. Should he commence employment, he must notify the Board in writing. Entry of this Order is without prejudice to further action by this Board or other law enforcement entities resulting from his conduct prior to entry of this Order. EFFECTIVE DATE: June 1, 2001

2. SCHWARTZ, Jay H., M.D., License #66867 (Wynnewood, PA)

CONSENT ORDER filed June 7, 2001. The Board received a report from the Physicians' Health Program (PHP) that Dr. Schwartz had ingested a large amount of Soma Compound, a Controlled Dangerous Substance, and they had directed him to seek emergent care. He was transferred to inpatient treatment at Marworth and subsequently transferred to COPAC in Mississippi where he remains. The Board ordered Dr. Schwartz to immediately surrender his license to practice medicine and surgery in the State of New Jersey for a minimum of six months from the date of his entry into inpatient treatment. Prior to any restoration, he must appear before a Committee of the Board to discuss his readiness to re-enter the practice of medicine; provide evidence he is capable of functioning in a manner consistent with the public's health, safety and welfare, and that he is not then suffering any impairment or limitation which could affect his practice. This action is without prejudice to further action by this Board or other law enforcement entity resulting from his conduct prior to entry into any treatment program. EFFECTIVE DATE: June 7, 2001

3. WATSON, Jerrod C., Athletic Trainer, License #MT390 (Linden, NJ)

FINAL ORDER filed June 14, 2001. Mr. Watson's license to practice athletic training in the State of New Jersey is revoked and he is ordered to pay \$399.22 in costs. Action based on Administrative Law Judge decision that cause existed to revoke his license based on his criminal conviction of conspiracy to commit robbery, and robbery in which a victim was killed. EFFECTIVE DATE: June 14, 2001

4. WEIERSTALL, Lois E., Athletic Trainer, License #MT00072 (River Edge, NJ)

INTERIM ORDER OF SURRENDER filed June 18, 2001 with an effective date of June 13, 2001. The Board received information that Lois Weierstall had been arrested and charged with a single count of alleged sexual assault from January through March 2001, on five occasions, upon a 16-year-old student over whom she had supervisory and disciplinary power. The Board ordered Ms. Weierstall to surrender her registration to practice athletic training in the State of New Jersey. She must immediately cease and desist from the practice of athletic training and may not seek employment in athletic training pending the Board's review of the resolution of criminal charges filed regarding this matter. She must inform the Board in writing within 20 days after the resolution of the criminal charges and provide copies of such resolution to the Board to include, but not be limited to, the entry of judgment following trial or upon a plea, dismissal of the charges, or acceptance of Respondent into a Pre-Trial Intervention Program. Entry of this Order is

without prejudice to the Board's ability to institute and hear administrative disciplinary action against Respondent after resolution of the criminal charges. Entry of this Order is without admissions by Respondent and without prejudice to the ability to defend against any disciplinary action filed by the Board.
EFFECTIVE DATE: June 13, 2001

LICENSURE MATTER

1. HASSAD, Roya Jafari, M.D. (West Paterson, NJ)

CONSENT ORDER filed June 14, 2001. During processing of Dr. Hassad's application for initial licensure, information submitted to the Board indicated there were irregularities regarding Dr. Hassad's medical school verification form. The irregularity identified would, if proven, provide basis for a refusal to issue a license. The applicant explained that the irregularities were related to the political situation in Iran and that her course work should qualify her for licensure. The Board considered this information and, without making any determinations as to the findings of fact and conclusions of law, decided it was adequately protective of the public interest to allow Dr. Hassad to withdraw her application with prejudice to reapplication in New Jersey at any time in the future. Dr. Hassad, without admission, consented to entry of this Consent Order which permits her to withdraw her application for licensure with prejudice.

EFFECTIVE DATE: June 14, 2001

2. WRIGHTSON, John, M.D., License #60675 (New Wilmington, PA)

CONSENT ORDER OF LIMITED LICENSURE filed September 3, 1999. Practice limited solely to the Sportsmedicine Fellowship Program at Kessler Institute for Rehabilitation. Prohibited from acquiring a CDS or DEA number, nor shall he order, prescribe, dispense, possess or administer any CDS in the State of New Jersey. Must submit to twice weekly random urine monitoring with the Physicians' Health Program (PHP) with twice monthly urine monitoring specific for Fentanyl. Must meet face-to-face with PHP representative and must attend NA/AA meetings. PHP to submit quarterly reports to Board. Must appear before a Committee of the Board for a status conference six months after the entry of this Order. Responsible for the costs of the monitoring required by this Order. Consents to automatic suspension of his license upon receipt by the Board of any information deemed to be a violation of this Order. Action based upon a substance abuse history revealed during the licensure application process. This license will terminate upon completion of the fellowship program and this Order does not imply plenary license will be granted at the completion of the fellowship program.

Additional matters which are not considered public reports were filed with the Board Office.

There being no further business of the Board concerning OPEN DISCIPLINARY MINUTES in open session, the Board voted to continue with the meeting concerning Matters Pending Litigation and Disciplinary Action in closed session.

Respectfully submitted,

David M. Wallace, M.D., Chairperson
for Open Disciplinary Matters