

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

**- September 19, 2001**

A meeting of the New Jersey State Board of Medical Examiners was held on Wednesday, September 19, 2001 at the Administrative Office of the New Jersey State Board of Medical Examiners, 140 East Front Street, 2nd Floor, Conference Room, Trenton, New Jersey for Disciplinary Matters Pending Conclusion, 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 Criss, Desmond (by Conference Call), Haddad (by Conference Call), Harrer, Lucas (by Conference Call), Patel, Paul, Ricketti, Robins, Trayner, Wallace, Walsh and Weiss.

**EXCUSED**

Board Members Chen, Farrell, Huston, Moussa, Perry, Reid and Rokosz.

**ALSO PRESENT**

Deputy Attorneys General Joyce, Kenny and Pham; Executive Director Roeder and Medical Director Gluck, New Jersey State Board of Medical Examiners.

**RATIFICATION OF MINUTES**

The Minutes from the August 8, 2001 Board meeting are tabled until the Board's October 10, 2001 meeting.

**OLD BUSINESS**

**1. AUSTIN, Jon, D.O., License #13629 (Without Appearance)  
PHAM, Jacqueline, D.A.G.**

A Provisional Order of Discipline (POD) was filed June 6, 2001 which would offer the above physician the opportunity to voluntarily surrender his license. Enclosed for Board consideration were D.A.G. Pham's August 30, 2001 letter to the Board; Executive Director Roeder's June 19, 2001 Affidavit with attachments; and the POD with attachments filed June 6, 2001. Dr. Austin 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. CARDILLO, Richard C., M.D. (Without Appearance)  
MICHAL, Mary H., Esq., for Respondent  
ALBERTSON, B. Michelle, D.A.G.**

A Provisional Order of Discipline (POD) was filed June 28, 2001 which would suspend the above physician's license for one year. Enclosed for Board consideration were D.A.G. Albertson's August 31, 2001 letter to the Board; Ms. Michal's August 20 and 30, 2001 responses; and the POD with attachments filed June 28, 2001.

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

**3. CHOI, Byong-Du, M.D. (Without Appearance)**  
**PHAM, Jacqueline, D.A.G.**

A Provisional Order of Discipline (POD) was filed June 27, 2001 which would revoke the above physician's license. Enclosed for Board consideration were D.A.G. Pham's August 31, 2001 letter to the Board; Dr. Choi's July 24, 2001 response; and the POD with attachments filed June 27, 2001.

THE BOARD, UPON MOTION MADE AND SECONDED, VOTED TO MODIFY THE PROVISIONAL ORDER OF DISCIPLINE TO A SURRENDER WITH PREJUDICE.

**4. CHOUDRY, Mayna M., M.D. (Without Appearance)**  
**PHAM, Jacqueline, D.A.G.**

A Provisional Order of Discipline (POD) was filed March 21, 2001 which would revoke the above physician's license. Enclosed for Board consideration were D.A.G. Pham's August 30, 2001 letter to the Board; Executive Director Roeder's June 19, 2001 Affidavit with attachments; and the POD with attachments filed March 21, 2001. Dr. Choudry 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. COLINA, Ernesto S., M.D., #32425 (Without Appearance)**  
**LAPOLA, Darlene, D.A.G.**

A Provisional Order of Discipline (POD) was filed June 8, 2001 which would revoke the above physician's license. Enclosed for Board consideration were D.A.G. Lapola's August 15, 2001 letter to the Board; Executive Director Roeder's

August 14, 2001 Affidavit with attachments; and the POD with attachments filed June 8, 2001. Dr. Colina 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. HEWITT, Alan R., M.D. (Without Appearance)**  
**PHAM, Jacqueline, D.A.G.**

A Provisional Order of Discipline (POD) was filed June 27, 2001 which would revoke the above physician's license. Enclosed for Board consideration were D.A.G. Pham's August 31, 2001 letter to the Board; Dr. Hewitt's August 4, 2001 response; and the POD with attachments filed June 27, 2001.

THE BOARD, UPON MOTION MADE AND SECONDED, VOTED TO MODIFY THE PROVISIONAL ORDER OF DISCIPLINE TO A SURRENDER WITH PREJUDICE.

**7. 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 Dr. Naranjo's license. Enclosed for Board consideration was D.A.G. Albertson's August 15, 2001 letter to the Board with Exhibits A through C (Exhibit A contains Dr. Naranjo's July 16, 2001 response with attachment). Also enclosed was the POD with attachments filed March 20, 2000.

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

**8. NASEERUDDIN, Khaja, M.D., #41882 (Without Appearance)**  
**LABUE, Anthony F., Esq., for Respondent**  
**ALBERTSON, B. Michelle, D.A.G.**

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. Albertson's August 15, 2001 letter to the Board which includes an unreported Appellate Division decision in the matter of Siddiqui; Mr. LaBue's July 12, 2001 response with attached Exhibits A through D; 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.

**9. PO, Teofilo, M.D., License #22518 (Without Appearance)**  
**DAEHNKE, Patricia Egan, Esq.**  
**LAPOLA, Darlene, D.A.G.**

A Provisional Order of Discipline (POD) was filed June 8, 2001 which would revoke the above physician's license. Enclosed for Board consideration were D.A.G. Lapola's August 20, 2001 letter to the Board; Ms. Daehnke's July 25, 2001 response with attachment; and the POD with attachments filed June 8, 2001.

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

**10. SIRMANS, Meredith F., M.D. (Without Appearance)**  
**PHAM, Jacqueline, D.A.G.**

A Provisional Order of Discipline (POD) was filed June 27, 2001 which would suspend the above physician's license for two years. Enclosed for Board consideration were D.A.G. Pham's August 31, 2001 letter to the Board; Dr. Sirman's July 26, 2001 response with attachments; and the POD with attachments filed June 27, 2001.

THE BOARD, UPON MOTION MADE AND SECONDED, VOTED TO MODIFY THE PROVISIONAL ORDER OF DISCIPLINE TO A TWO-YEAR STAYED SUSPENSION TO BE CONCURRENT WITH NEW YORK'S ACTION.

**11. STATHAKIS, John N., D.O., License #20378 (Without Appearance)**  
**LAPOLA, Darlene, D.A.G.**

A Provisional Order of Discipline (POD) was filed June 11, 2001 which would suspend the above physician's license for one year. Enclosed for Board consideration were D.A.G. Lapola's August 20, 2001 letter to the Board; the Arizona Board's Minutes of August 19, 2000 and April 19, 2000; Dr. Stathakis' July 5, 2001 response with attachments; and the POD with attachments filed June 11, 2001. As noted in D.A.G. Lapola's letter, in light of the information provided, the Attorney General moves before the Board for the withdrawal of the POD. D.A.G. Lapola further states that the Board may wish to issue its own letter alerting Dr. Stathakis to the applicable laws relating to dispensing and prescribing medications in New Jersey.

THE BOARD, UPON MOTION MADE AND SECONDED, VOTED TO WITHDRAW THE PROVISIONAL ORDER OF DISCIPLINE.

**12. VELEZ, Anthony, M.D. (Without Appearance)**

**DOOLEY, Francis J., Esq.**  
**PHAM, Jacqueline, D.A.G.**

A Provisional Order of Discipline (POD) was filed June 7, 2001 which would revoke the above physician's license. Enclosed for Board consideration were D.A.G. Pham's August 30, 2001 letter to the Board; Mr. Dooley's August 20, 2001 response with attachments; and the POD with attachments filed June 7, 2001.

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

**13. VERDONI, Richard, M.D., License #53454 (Without Appearance)**  
**GORRELL, Joseph M., Esq., for Respondent**  
**ALBERTSON, B. Michele, D.A.G., for Complainant**

A Provisional Order of Discipline (POD) was filed June 7, 2001 which would suspend the above physician's license for six months, the entirety of which is to be stayed. Enclosed for Board consideration were D.A.G. Albertson's August 14, 2001 letter to the Board; Mr. Gorrell's July 10, 2001 and July 12, 2001 responses with attachments; and the POD with attachments filed June 7, 2001.

THE BOARD, UPON MOTION MADE AND SECONDED, VOTED TO TABLE FINALIZATION OF THIS MATTER.

Doctors Robins and Wallace recused themselves from discussion and vote in this matter.

## **REPORT OF INTERIM AND FINAL ORDERS FILED WITH THE BOARD**

**1. BERMAN, Victor M., M.D., License #20086 (Culver City, CA & Placida, FL)**

**FINAL ORDER OF DISCIPLINE filed July 6, 2001.** Dr. Berman's license to practice medicine and surgery in the State of New Jersey is suspended. Action based on the revocation of his California license after the California Board found he had committed repeated acts of gross negligence. The California Board stayed its revocation and placed his license on three years' probation, required monitoring and excluded him from practicing obstetrics and gynecology pending successful completion of an oral competency examination and educational programs. A Provisional Order was filed based upon the above listed Findings of Fact. Dr. Berman did not respond to the Provisional Order. The Board ordered the suspension of his license to practice medicine and surgery in the State of New Jersey. He may reapply for licensure at such time he can demonstrate successful compliance with and completion of the requirements of his California probation and his possession of an unrestricted license in all jurisdictions where he is licensed. Prior to any active practice in New Jersey, he must appear before a Committee of the Board. Any practice prior to said appearance shall constitute grounds for a charge of unlicensed practice. The Board reserves the right to place limitations on his practice should his license be reinstated. EFFECTIVE DATE: July 6, 2001

**2. CHIN, Ed Ming, M.D., License #36268 (Short Hills, NJ)**

**FINAL ORDER filed August 7, 2001.** Dr. Chin's license to practice medicine and surgery in the State of New Jersey is revoked. Action based on the surrender of his medical license in New York after admitting guilt to allegations of negligence on more than one occasion and payment of a \$10,000 fine. EFFECTIVE DATE: August 7, 2001

**3. CORTES, Miguel A., MD, License #37873 (Atlantic City, NJ)**

**INTERIM CONSENT ORDER filed August 29, 2001.** The Physicians' Health Program contacted the Board regarding the continuing professional practice of Dr. Cortes. Dr. Cortes had also appeared before the Medical Practitioner Review Panel on May 17, 2001 to discuss the suspension of his privileges at Atlantic City Medical Center. The Board entered this Order without prejudice to the ongoing investigation of Dr.

Cortes' practice by this Board. Dr. Cortes makes no admission of any wrongdoing or violations of statutes or regulations. The Board ordered that Dr. Cortes' license to practice medicine and surgery in the State of New Jersey be limited to screening examinations performed on non-ill patients on behalf of the United States Immigration and Naturalization Service. He may perform no other medical services until further Order of the Board. His examination of patients for the US Immigration and Naturalization Service are subject to the conditions specified in this Interim Consent Order. EFFECTIVE DATE: August 29, 2001

**4. DEMCHUK, Daniel, M.D., License #37686 (Woodbine, NJ)**

**CONSENT ORDER filed August 28, 2001.** Dr. Demchuk is reprimanded and required to pay a \$2,500 penalty for the unlicensed practice of medicine and surgery in the State of New Jersey for the period between July 1, 1999 and August 28, 2000 when he failed to renew his New Jersey medical license or his controlled dangerous substance registration. His continued practice when he did not hold the required registration constitutes the unlicensed practice of medicine and is deemed to be professional misconduct. EFFECTIVE DATE: August 28, 2001

**5. EISENSTEIN, Bernard, M.D., License#11388 (Englewood, NJ)**

**CONSENT ORDER GRANTING VOLUNTARY SURRENDER AND PERMANENT RETIREMENT OF LICENSURE filed August 9, 2001.** A Verified Complaint was filed December 5, 2000 charging Dr. Eisenstein with sexual misconduct toward two patients. Following the Board's issuance of an Interim Order of Temporary Limitation of License effective December 13, 2000, the matter was transferred to the Office of Administrative Law for hearing. Dr. Eisenstein desired to resolve the matter without admitting any wrongdoing concerning the alleged misconduct and sought leave to surrender his license with prejudice and permanently retire from the practice of medicine in all jurisdictions. The Board ordered he immediately surrender his license to practice medicine and surgery in the State of New Jersey with prejudice to any future reapplication. Said surrender shall constitute the permanent voluntary retirement of his license. He also agreed to permanently retire his license to practice medicine in the State of New York. From the entry of this Order, no longer than eighteen months therefrom, shall constitute a period during which he will wind down his medical-legal expert practice. He is permitted to function as an expert witness at a trial or initial hearing level, in the matters described in the Appendix attached to this Order. He must notify the Board before appearing in any matter as a medical-legal expert in which he seeks to testify providing proof he had been retained for such services prior to May 31, 2001. He may not serve as a medical-legal expert after eighteen months from entry of this Order. He must return his CDS registration and immediately advise DEA of this Order. He must pay investigative costs of \$6,000 within eighteen months following entry of this Consent Order with interest accruing at 5.5%. EFFECTIVE DATE: August 9, 2001

**6. GAROFALO, James L., M.D., License #16035 (West Caldwell, NJ)**

**ORDER REMOVING LICENSURE RESTRICTIONS filed August 29, 2001.** Dr. Garofalo submitted a request to the Board for removal of the restrictions on his medical license as enumerated in the Supplemental Consent Order filed on April 30, 1999. Pursuant to that Order, he had been directed to continue to employ a licensed healthcare professional approved by the Board to act as a monitor in Dr. Garofalo's medical office. The monitor would be required to provide the Board with written monthly reports regarding sterilization and sanitary procedures utilized by Dr. Garofalo, specifically including the re-use of disposable plastic syringes, and the adherence to the expiration dates of the medications located in his medical office. He was also directed to continue to maintain a daily log of his injections of any medications which would be sent to the Board with the monitor's monthly report. In addition, Dr. Garofalo was directed to continue to pay the costs of periodic, unannounced inspections, including but not limited to review of medical records, by the Enforcement Bureau of the Division of Consumer Affairs. The Board has considered Dr. Garofalo's request and ordered that all restrictions on his license to practice medicine and surgery in the State of New Jersey be removed. EFFECTIVE DATE: August 29, 2001

**7. GEORGE, David Martin, D.O., License #35135 (Moscow, PA)**

**FINAL ORDER OF DISCIPLINE filed August 13, 2001.** Dr. George's license to practice medicine and surgery in the State of New Jersey is suspended for five years, with the suspension stayed to be served as probation. Action based on the stayed suspension of his license by the Commonwealth of Pennsylvania after suffering a relapse of drinking and engaging in violent behavior at his home. He was placed on five years' probation in Pennsylvania and was monitored by the Professional Health Monitoring Program. Prior to any reactivation of his license, he must appear before a Committee of the Board to demonstrate his fitness to do so. Any active practice in this State prior to such appearance shall constitute grounds for the revocation of his license. The Board reserves the right to require his participation in such a monitoring program as it may deem appropriate. EFFECTIVE DATE: August 13, 2001

**8. GRAUERHOLZ, John E., M.D., License #42216 (Leesburg, VA)**

**FINAL ORDER filed July 27, 2001.** On July 8, 1999, Dr. Grauerholz admitted before a Committee of the Virginia Board of Medicine that in 1997 he had administered intravenous aloe vera substance to cancer patients on approximately four occasions. The injections were not recorded on the patients' charts and he was not authorized by the Federal Drug Administration to sponsor clinical investigative trials of aloe vera, which is not approved by the FDA for treatment of cancer. He was granted immunity from prosecution in return for testifying against the physician who owned the clinic. He admitted he was being treated for depression. His license to practice medicine in Virginia was placed on indefinite probation and he was not allowed to engage in the practice of clinical medicine or any medical practice which involved direct patient care. He was ordered to have his psychiatrist submit a report to the Virginia Board within thirty days. A Provisional Order of Discipline was filed October 3, 2000 with this Board based on the Findings of Fact listed above. Dr. Grauerholz did not respond. The Board ordered that Dr. Grauerholz's license to practice medicine and surgery in the State of New Jersey be revoked. EFFECTIVE DATE: July 27, 2001

**9. QURTOM, Helmy A.F., M.D., License #59805 (Beltsville, MD)**

**FINAL ORDER OF DISCIPLINE filed August 16, 2001.** On or about March 11, 1999, Dr. Qurtom pled guilty in US District Court, District of Maryland, to one count of theft of US Government property; that is student assistance benefits, and was sentenced to five months imprisonment and ordered to pay restitution of \$118,932.26 and a \$15,000 fine. His license to practice medicine in the State of Maryland was revoked on November 15, 2000. A Provisional Order was filed on June 6, 2001. Dr. Qurtom's response was reviewed by the Board. The Board found that his continued systematic pattern of economic fraud at a time when he was earning a substantial livelihood to be unconscionable and deserving of the Board's most serious penalty. The Board ordered Dr. Qurtom's license to practice medicine and surgery in the State of New Jersey be revoked. EFFECTIVE DATE: August 16, 2001

**10. SUZUKI, Anthony, M.D., License#44824 (Rowland Heights,CA & Covina, CA)**

**FINAL ORDER OF DISCIPLINE filed August 20, 2001.** Dr. Suzuki's license to practice medicine and surgery in the State of New Jersey is revoked. Action based on the surrender of his license to practice medicine in California after charges of gross negligence in his treatment of four patients. The North Dakota Board denied his application for license based on his failure to disclose the California action. He subsequently surrendered his license in New York based on the California and North Dakota actions. Based on the above Findings of Fact and his failure to respond to a Provisional Order of this Board, the Board ordered that Dr. Suzuki's license to practice medicine and surgery in the State of New Jersey be revoked. EFFECTIVE DATE: August 20, 2001

**11. TROLLINGER, Robert, M.D., License #16573 (Medford, NJ)**

**FINAL ORDER OF DISCIPLINE filed August 20, 2001.** Dr. Trollinger's license to practice medicine and surgery in the State of New Jersey is revoked. Action based on his arrest in Pennsylvania on criminal charges of 12 felony counts of illegally dispensing controlled and non-controlled substances; 3 counts of

obtaining payment to which he was not entitled; 1 felony count of corrupt organization; 2 misdemeanor counts of dispensing a controlled substance without the legally required labeling; 1 misdemeanor count of possessing controlled and non-controlled substances which were adulterated or misbranded; 2 misdemeanor counts of unlawfully possessing a controlled substance (methamphetamine and marijuana); and 7 misdemeanor counts of unlawfully intercepting and recording the oral conversations of others without their permission. Based on the above, the Pennsylvania Board found he engaged in unprofessional conduct and that his actions posed a clear and imminent danger to public health and safety. His Pennsylvania license was temporarily suspended. A Provisional Order was filed with this Board in March 2001 based on the above listed Findings of Fact. Dr. Trollinger did not respond. The Board ordered his license be revoked. EFFECTIVE DATE: August 20, 2001

## **LICENSURE MATTER**

### **1. BROSH, Michael, Athletic Trainer, Unlicensed (Vineland, NJ)**

**FINAL ORDER DENYING REGISTRATION filed August 20, 2001.** Mr. Brosh engaged in the unregistered practice of athletic training for two employers, the Atlantic City Surf from May through August 1999, and Sacred Heart High School through Novacare from November 1999 through June 2000. He knew he needed a registration when he obtained the position at Novacare and never informed his employer of his failure of the athletic training examination given by the National Athletic Trainers Association, nor of the invalidity of the temporary permit, now that he failed the examination. Mr. Brosh had signed an Order consenting to cease and desist unregistered practice in March 2000, yet he continued to work in a position as an athletic trainer through June 2000. The Board found that Michael Brosh, by virtue of his repeated unregistered practice and repeated misrepresentations to his employer and the Board, has demonstrated a lack of good moral character, and engaged in dishonesty or misrepresentation, and thus is not eligible for licensure in this State. The Board ordered that Michael Brosh's application for registration to practice athletic training in the State of New Jersey be denied and no reapplication will be considered for a period of five years from the date of this Order. He must pay a civil penalty in the amount of \$500.00 for his second instance of unregistered practice. He must cease and desist the practice of athletic training in New Jersey until he obtains a registration to practice from the Board. On any reapplication for registration, he must demonstrate full compliance with this Order and rehabilitation, fitness and competency to practice and if certified as an athletic trainer by the NATA, he must demonstrate fulfillment of certification requirements including continuing education credits. EFFECTIVE DATE: August 20, 2001

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

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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