

**FILED**

SEPTEMBER 22, 2003

**NEW JERSEY STATE BOARD  
OF MEDICAL EXAMINERS**

PETER C. HARVEY  
ATTORNEY GENERAL OF NEW JERSEY  
Division of Law  
124 Halsey Street, Fifth Floor  
P.O. Box 45029  
Newark, New Jersey 07101

By: **Siobhan B. Krier**  
Deputy Attorney General  
Tel. (973) 648-2478

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

\_\_\_\_\_  
:  
IN THE MATTER OF THE LICENSE :  
OF :

**NIKHIL S. PARIKH, M.D.**  
**LICENSE NO. MA41657**

Administrative Action

**INTERIM CONSENT ORDER**

TO PRACTICE MEDICINE AND :  
SURGERY IN THE STATE OF :  
NEW JERSEY :  
\_\_\_\_\_

This matter was opened to the New Jersey State Board of Medical Examiners (hereinafter the "Board") upon receipt of information that Nikhil S. Parikh, M.D. (hereinafter the "respondent") had been charged on July 19, 2002 with Criminal Sexual Contact, in violation of N.J.S.A. 2C:14-3(b) for engaging in inappropriate sexual contact during his treatment of patient P.T. on April 26, 2002.

The Board has preliminarily reviewed this matter, including the criminal charge and has determined that the respondent must be accompanied by a chaperone while rendering medical services to

**CERTIFIED TRUE COPY**

**female** patients pending the final disposition of the criminal proceeding.

The Board finding that this interim resolution is adequately protective of the public health, safety and welfare, and it appearing that good cause exists for the entry of the within Order,

IT IS, therefore, on this 8<sup>th</sup> day of Sept 2003;

ORDERED AND AGREED that:

1. Respondent, **Nikhil S. Parikh, M.D.**, shall immediately commence employment of a chaperone, who is a **licensed** health care professional, while **rendering** medical services to female patients pending further Order of the Board.

2. Upon entry of this Order, the **respondent** shall **immediately** retain at his own expense, a professionally licensed person to function as a chaperone in respondent's medical practice. The chaperone shall **be** a person approved by the Board, through Medical Director Joseph Gluck, M.C., and will **be furnished** with a copy of this Order and will, in writing, **agree** to abide by its terms.

3. The chaperone shall be in respondent's company at all times during the examination and treatment of female patients in all settings and shall so indicate by initialing **the** patient charts. The chaperone shall immediately notify the Medical Director of the Board and the Attorney General **in** the event that said chaperone **becomes** aware of any inappropriate conduct with

AUG. 21. 2003 5:27PM KERN AUGUSTINE  
ATTY GEN/DIV OF LHW Fax:973-

Aug 21 2003 14:35 M: 1925 Y. 4  
P. 105

female patients by respondent or in the event that the chaperone has reason to believe that respondent's conduct may pose any threat of harm to others.

4. The chaperone shall agree to provide routine quarterly reports to the Medical Director confirming respondent's cooperation with the chaperone requirements.

5. Nothing contained herein shall be deemed an admission of liability on the part of the respondent. Nothing contained herein shall restrict or limit the Attorney General from further investigation and prosecution in this matter or from the filing of an Administrative Complaint premised upon the conduct which gave rise to the charges or other conduct made known to the Board.

6. It is understood that by entry of this Order, the parties herein do not waive any right to apply for any additional relief provided for by law.

NEW JERSEY STATE  
BOARD OF MEDICAL EXAMINERS

By: David M. Wallace, M.D.  
David M. Wallace, M.D.,  
President

I have read the above terms of the within Order. I understand the terms of the Order and I agree to be bound by same.

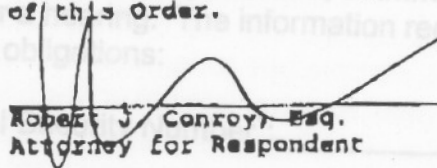
Nikhil S. Barikh, M.D.  
Nikhil S. Barikh, M.D.

AUT. 29. 2003 2:42PM KERN AUGUSTINE

NO. 7524 P. 3/3

AUG. 21 2003 5:27PM KERN AUGUSTINE  
WILL GEN/DIV OF LAW FAX: 903

Aug 21 2003 14:35 NO. 1425 P. 3  
P. 185

Consent is hereby given the follow  
as to the form and entry immediate  
of this Order. information require  
g objections:  
  
Robert J. Conroy, Esq.  
Attorney for Respondent

Aug. 27 2003 10:45AM P02

PHONE NO. :

From :

**general** circulation in the geographic vicinity **in** which the practice **was** conducted. **At the end of** the three month period, the licensee **shall** file with the Board **the name and** telephone number **of the** contact **person who will have access to medical** records **of** former patients. **Any** change in that individual or his/her telephone number **shall be** promptly **reported to the Board**. When a patient or his/her representative **requests** a **copy** of his/her medical **record** or **asks** that **record be forwarded** to another health care provider, the **licensee** shall promptly provide **the record** without **charge** to the patient.

## **5. Probation/Monitoring Conditions**

With **respect** to any licensee **who is the subject** of **any** Order imposing a probation or monitoring requirement or a **stay of an** active suspension, in whole or in part, which is conditioned upon compliance **with** a probation or monitoring requirement, **the** licensee shall fully cooperate with **the** Board and **its designated representatives**, including the Enforcement **Bureau** of the Division of **Consumer** Affairs, in ongoing monitoring of the **licensee's** status **and** practice. Such monitoring **shall be** at the **expense of the disciplined** practitioner.

(a) Monitoring of practice conditions may include, but **is not** limited to, inspection of the professional premises and equipment, and inspection **and** copying of patient records (confidentiality of patient identity shall **be** protected **by** the **Board**) to verify compliance with the Board **Order** and accepted standards of practice.

(b) Monitoring of status conditions for an impaired practitioner may include, but **is** not limited to, practitioner cooperation in **providing releases** permitting unrestricted access to records and other information to the extent permitted **by law** from any treatment facility, other treating practitioner, support group or other individual/facility involved in the education, treatment, monitoring or oversight of the practitioner, or maintained **by** a rehabilitation program for impaired practitioners. If **bodily** substance monitoring has been **ordered**, the practitioner shall fully cooperate **by** responding to a **demand** for breath, blood, **urine** or other sample in a timely manner and providing the designated **sample**.



**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.