

FILED

April 17, 2014

NEW JERSEY STATE BOARD  
OF MEDICAL EXAMINERS

JOHN J. HOFFMAN  
ACTING ATTORNEY GENERAL OF NEW JERSEY  
Division of Law  
124 Halbsay Street, 5<sup>th</sup> Floor  
P.O. Box 45029  
Newark, New Jersey 07101

By: Bindi Merchant  
Deputy Attorney General  
(973) 648-7454

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

IN THE MATTER OF THE  
CONDITIONAL REINSTATEMENT OF  
THE LICENSE OF

ADMINISTRATIVE ACTION

MICHAEL C. LAFON, M.D.  
LICENSE NO. 25MA04535900

CONSENT ORDER

TO PRACTICE MEDICINE AND  
SURGERY IN THE STATE OF NEW  
JERSEY

This matter was reopened before the New Jersey State Board of Medical Examiners (the "Board"), upon the Board's receipt of a petition from respondent Michael Lafon, M.D., to remove certain conditions upon which respondent's license was conditionally reinstated to practice medicine and surgery in the State of New Jersey. We have reviewed and carefully considered available information, including the extensive history of this matter and documentary evidence. Based thereon, we presently conclude that cause exists to grant Dr. Lafon's petition and

CERTIFIED TRUE COPY

allow him to continue to practice medicine in New Jersey, subject to express conditions and limitations detailed herein. The history of this matter is detailed in prior public filings with the Board. Dr. Lafon was arrested in July 2003 and charged with three counts of criminal sexual conduct (fourth degree, N.J.S. 2C:14-2C, N.J.S. 2C:14-3B) and lewdness (disorderly persons offense N.J.S. 2C:14-4A.). The charges focused on sexual activities and/or contacts that Dr. Lafon had during the course of medical examinations of three patients. After Dr. Lafon's arrest, claims of additional misconduct (to include making improper sexual comments, inappropriate hugging and kissing of patients, and Dr. Lafon's having had sexual intercourse with patients and spouses of patients) were made by many additional individuals, however no further criminal charges were filed.

Dr. Lafon entered into a plea bargain with the Gloucester County Prosecutor to resolve the criminal action, and entered a guilty plea on December 18, 2003. He was sentenced on February 6, 2004, to four years probation. An explicit condition of the criminal plea bargain was that Dr. Lafon was to surrender his medical license. Dr. Lafon completed all of the conditions of his probation in a satisfactory manner and received an early discharge from probation on July 17, 2007.

Pursuant to his guilty plea, on December 29, 2003, Dr. Lafon's medical license was revoked by entry of a Consent Order.

Within that Order, Dr. Lafon acknowledged that his actions constituted multiple violations of the sexual misconduct regulations, numerous provisions of the Uniform Enforcement Act and demonstrated a lack of good moral character. Dr. Lafon was "granted leave to voluntarily surrender" his medical license, with the surrender to be "deemed a revocation," and was ordered to pay investigative costs in the amount of \$18,406.41.

Based on his compliance with the Professional Assistance Program ("PAP"), consistent attendance at Sex and Love Anonymous ("SLA"), demonstrated consistency and improvement in both group and individual therapy with Dr. Deerfield, and admissions of the severity and inexcusability of his actions, on March 10, 2011, Dr. Lafon's medical license was conditionally reinstated. Pursuant to the Consent Order reinstating his medical license, Dr. Lafon was to continue his enrollment with the PAP and comply with their recommendations, continue therapy with Dr. Deerfield, continue to attend meetings of SLA of at least three times a week, only practice as an employee in a practice setting approved by the Board, use a Board approved practice monitor, not treat female patients, treat male patients only in the presence of a Board approved chaperone, and provide the Board with quarterly reports from the practice monitor and chaperone. Based on Dr. Lafon's continued compliance with the

aforementioned conditions, the Board's review of this matter and for other good cause shown:

IT IS on this 17th day of April, 2014

ORDERED:

1. The license of respondent Michael Lafon, M.D., to practice medicine and surgery in the State of New Jersey hereby continues to be conditionally reinstated. Dr. Lafon shall comply with all terms and conditions set forth below.
2. Dr. Lafon shall continue his enrollment in, and full participation with, the PAP. The PAP shall provide quarterly written reports to the Board confirming that Dr. Lafon remains enrolled in and fully compliant with all recommendations made by the PAP, and generally detailing the extent of Dr. Lafon's involvement with the PAP. The PAP shall provide immediate written notification to the Board in the event that Dr. Lafon discontinues his participation with the PAP and/or in the event that he fails to comply with any recommendation(s) made by the PAP, or should the PAP obtain any other reliable information suggesting that Dr. Lafon has engaged in inappropriate conduct of any manner with any patient.
3. Dr. Lafon shall continue in therapy with Dr. Laurie Deerfield, with sessions to be conducted at a frequency deemed appropriate by Dr. Deerfield and the PAP. Dr. Lafon

shall continue in therapy with Dr. Deerfield until such time as Dr. Deerfield, in consultation with the PAP, determines that therapy is no longer indicated, provided that the PAP first advises the Board in writing of any recommendation to discontinue therapy and secures written approval from the Board for discontinuation of therapy.

4. Dr. Lafon shall continue to attend meetings of SLA at a frequency of not less than three meetings per week. Attendance at SLA meetings shall be documented.
5. Dr. Lafon shall be permitted to practice independently, but only in a practice setting approved by the Board. Dr. Lafon shall not engage in the practice of medicine in any setting other than that approved herein, unless he first details any proposed additional practice settings to the Board and secures written approval in advance from the Board.
6. Dr. Lafon shall be subject to practice monitoring to be conducted by a "practice monitor" acceptable to the Board. The "practice monitor" shall be a physician, other than Dr. Lafon's employer (and other than any physician who may have any business, personal, familial or other relationship with Dr. Lafon that could be considered to compromise the ability of the "practice monitor" to provide fair and unbiased review and reports to the Board), who is licensed and in good standing in New Jersey, and shall hold Board certification by

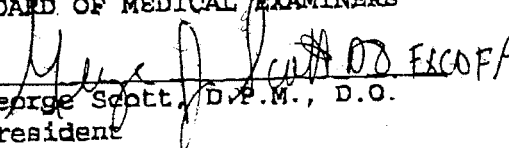
the American Board of Medical Specialties in Family Medicine or equivalent board certification. This "practice monitor" shall agree to review a random sample of not less than ten of Dr. Lafon's patient charts on a monthly basis for a period of not less than one year. The "practice monitor" shall provide quarterly written reports to the Board outlining the quality of respondent's patient charts and the quality of medical care being provided by respondent.

7. Dr. Lafon shall not examine, treat, or provide any medical care to any female patient. Dr. Lafon is hereby authorized to treat male patients, but shall be required to be accompanied by a Board-approved chaperone during all patient visits. Dr. Lafon shall obtain written approval from the Board for any proposed chaperone. The chaperone shall initial all patient charts to signify his or her presence during the physician-patient visit. The approved chaperone(s) shall be required to provide written quarterly reports to the Board, and shall provide an immediate written report to the Board in the event that any information is received that Dr. Lafon has seen or examined any patient without the chaperone being present, or in the event that Dr. Lafon is witnessed engaging in inappropriate conduct of any manner with any patient. Dr. Lafon shall be solely responsible for all costs incurred in the chaperoning of his medical practice.

8. The Board expressly reserves the right to summarily enter an Order suspending the license of respondent Michael Lafon, upon proof of violation of any of the terms or conditions of this Order, and/or upon receipt of any immediate report from the PAP, respondent's practice monitor and/or respondent's approved chaperone reporting a violation of any of the terms of conditions of this Order.

NEW JERSEY STATE  
BOARD OF MEDICAL EXAMINERS

By:

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

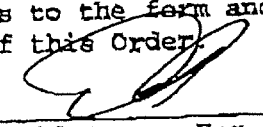
I have read and understood  
the within Order and agree  
to be bound by its terms.

  
Michael C. Lafon, D.D.

Date:

4-11-2014

Consent is hereby given  
as to the form and entry  
of this Order.

  
David Evans, Esq.  
Attorney for Respondent

Date:

4/17/2014

**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.