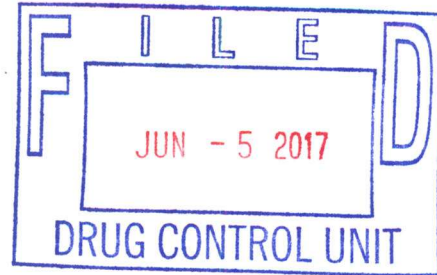


CHRISTOPHER S. PORRINO  
ATTORNEY GENERAL OF NEW JERSEY  
Division of Law  
124 Halsey Street  
P.O. Box 45029  
Newark, New Jersey 07101



By: Alan R. Blankstein  
Deputy Attorney General  
Tel. (973) 648-2353  
Alan.Blankstein@dol.lps.state.nj.us  
Attorney ID: 160342015

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

IN THE MATTER OF THE TEMPORARY  
SUSPENSION OF THE NJ CDS  
REGISTRATION OF

**ALEXANDER R. BABAYANTS, M.D.**

**License No. 25MA06437300**  
**NJ CDS Registration No. D07054000**

Administrative Action

**CONSENT ORDER OF  
TEMPORARY SUSPENSION  
NJ CDS REGISTRATION**

This matter was opened to Steve C. Lee, Director of the New Jersey Division of Consumer Affairs (the "Director") on or about May 6, 2017, upon receipt of information that Alexander R. Babayants, M.D., New Jersey State Board of Medical Examiners (the "Board") License No. 25MA06437300, NJ CDS Registration No. D07054000 who maintains a psychiatric practice in <sup>City of Newark</sup> ~~Marlton~~, New Jersey ("Respondent") was engaged in the prescribing of CDS without legitimate medical purpose in violation of N.J.A.C. 13:45H-7.4 which provides basis under N.J.S.A. 24:21-12(a)(3) for the Director to suspend or revoke Respondent's NJ CDS registration.

On June 1, 2017, the Enforcement Bureau of the Division of Consumer Affairs ("EB") conducted an investigation including an inspection of Respondent's office and patient records.

Through the course of the investigation, it was determined that Respondent, a psychiatrist, had been prescribing CDS without legitimate medical purpose, notably methadone, suboxone and related medications utilized in the treatment of opioid addiction and/or pain management.

Respondent engages in the private practice of medicine on Tuesdays and Thursday in his Newark office from approximately 9:00 a.m. to approximately 2:00 p.m. Patients arrive at Respondent's office and are instructed to either wait inside Respondent's office or in the hallway directly outside until they are called for their appointment. <sup>some</sup> ~~All~~ appointments are made with patients through text message, and patients are not given a set appointment time. A majority of patients are prescribed suboxone or methadone, which are primarily used for substance abuse treatment.

Respondent's office includes no area for patient privacy where a physical examination may be conducted. During its investigation, EB investigators observed Respondent administering an injection into a patient's buttocks. EB investigators observed the injection from Respondent's waiting room, which is only separated from the examination room by a glass wall.

A review of Respondent's scant medical records shows no indications of medical necessity justifying the CDS prescribing. Patient records do not include results of physical examinations; records from prior treating physicians; results of urine drug screens; and/or New Jersey Prescription Monitoring Program ("PMP") print-outs. Although Respondent prescribes methadone, there are no records of electrocardiogram (ECG) tests, and no indications that the tests are even administered. There is no indication that Respondent advised any of his patients of the risk factors involved in being treated with methadone, or any other opiate.

Respondent, having been advised that he may consult legal counsel before signing this interim order, does not admit the conduct alleged, but has expressed his consent to the temporary

suspension of his NJ CDS Registration pending further order of the Director.

The Director, finding the within disposition adequately protective of the public health, safety and welfare, and other good cause having been shown,

IT IS, therefore, on this 5<sup>th</sup> day of June, 2017,

ORDERED THAT:

1. Respondent's New Jersey CDS registration is temporarily suspended pending further order of the Director.
2. Respondent shall immediately return his original New Jersey CDS registration to Jessica Fiorilli, Acting Executive Director, Drug Control Unit, P.O. Box 45005, 124 Halsey Street, Newark, New Jersey, 07101, and shall immediately cease and desist from prescribing or dispensing any CDS medications.
3. Pursuant to N.J.S.A. 24:21-12(f), the Director shall promptly notify the DEA of the entry of this Interim Consent Order.
4. Pursuant to N.J.S.A. 24:21-12(e) the Director further orders that Respondent immediately place under seal any and all CDS in his possession, except for any CDS Respondent possesses for personal use pursuant to a duly issued prescription. CDS possessed by Respondent shall remain under seal until such time as a final order which includes the disposition of these sealed items is entered by the Director and/or Board in this matter.
5. Respondent understands that this Interim Order is independent of, and not in lieu of, proceedings on behalf, or by the DEA, and further agrees that resolution of pending DEA


matters will not resolve any matter which has, or could, be brought before the Board or Director. The parties hereby stipulate that entry of this Order is without prejudice to the filing of an Administrative Complaint and/or further investigation and/or action by this Board, Director or other law enforcement entities resulting from Respondent=s conduct. The parties further stipulate that the entry of this Order is without admission of any wrongdoing by Respondent.

6. This order shall remain in effect until specifically modified by the Director through the entry of a subsequent order(s).

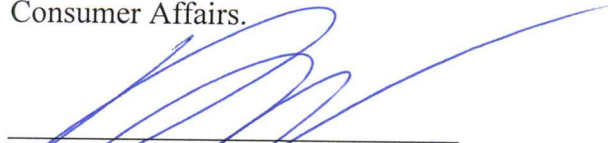
7. Respondent may apply to the Director to request a hearing for modification of the terms of this order. If Respondent requests a hearing to modify this Interim Order, Director shall convene a hearing within forty-five (45) days of Respondent’s request to determine whether the restraints in the Interim Order should continue under the requirements set forth in N.J.S.A. 24:21-12.

8. Respondent has been specifically informed that he may consult an attorney to represent him in this matter. Respondent acknowledges that he has been advised of the ability to consult with counsel and that he chooses to voluntarily enter into this Interim Consent Order.

NEW JERSEY DIVISION OF CONSUMER AFFAIRS

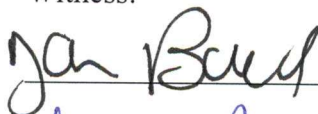
By:   
\_\_\_\_\_  
Steve C. Lee,  
Director

I have read the within Order,  
understand its terms and agree  
to be bound by them. I consent  
to entry of the Order by the  
Director of the Division of  
Consumer Affairs.

  
\_\_\_\_\_  
Alexander R. Babayants, M.D.


Dated: 6/1/17

Witness:

  
\_\_\_\_\_  
JOHN Bastardo  
Print Name

Dated: 6-1-17

Witness:

  
\_\_\_\_\_  
Kathleen Cepala  
Print Name

Dated: 6-1-17

Check List

Notice to New Jersey Medical Board Licensee / CDS Registrant

         I have been advised that I may consult with an attorney prior to signing the attached Order.


         I have been advised that the investigator who provided the attached Order works for the State of New Jersey and although he/she may be assisting me his/her interests lie with the State.

         I have been advised that the attached Order is a civil Order regarding my New Jersey Medical License and/or my New Jersey CDS Registration and has no impact on any other matter.

         I have been advised that the attached Order is a public Order which may be reported to databases and made available upon request.

         I have read and understand the attached Order.

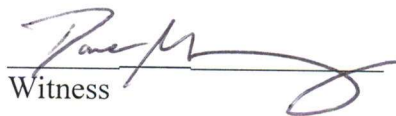
         No one has coerced me to sign the attached Order, which I have signed of my own free will.

  
Alexander R. Babayants, M.D.

Dated 6/1/17

  
Investigator

Dated 6-1-17

  
Witness

Dated 6/1/17