FILED
MAY 19 2026
NEW JERSEY STATE BOARD
OF MEDICAL EXAMINERS

JENNIFER DAVENPORT
ATTORNEY GENERAL OF NEW JERSEY
Division of Law
124 Halsey Street - 5th Floor
P.O. Box 45029
Newark, New Jersey 07101

By: Kevin Bui
Deputy Attorney General
(609)696-5364
Attorney ID No.: 437322023

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

IN THE MATTER OF THE LICENSE OF:

FRANK A. ABENANTE, M.D.
LICENSE NO. 25MA06482400

TO PRACTICE MEDICINE AND SURGERY
IN THE STATE OF NEW JERSEY

Administrative Action

CONSENT ORDER

This matter was opened to the New Jersey State Board of Medical Examiners ("Board") upon receipt of two complaints alleging that Frank A. Abenante, M.D. ("Respondent") was indiscriminately prescribing controlled dangerous substances ("CDS"). The Board conducted an investigation which included Respondent, accompanied by counsel, testifying before the Preliminary Evaluation Committee (the "PEC") on October 22, 2025.

Respondent is a psychiatrist who treats patients for various

CERTIFIED TRUE COPY

psychiatric conditions, including depression and anxiety. Respondent treats only eight patients for chronic pain, all of whom are patients that he's seen for over a decade. In general, Respondent requires his pain management patients to visit his office in-person every two weeks to receive a bi-weekly supply of pain medication and he conducts random urine drug screens. Respondent also has pain management contracts with patients he treats for chronic pain, but some of the contracts have not been updated.

During the PEC, Respondent represented to the Board that he checked the Prescription Monitoring Program ("PMP") for "several patients" in 2025. Respondent also represented that he checked the PMP for Patient 1 and Patient 2 in 2025. However, Respondent's PMP search request history indicates that Respondent checked the PMP for only one patient (neither Patient 1 nor Patient 2) on October 5, 2025. Respondent did not check the PMP for any other patient between October 15, 2018 and October 15, 2025. Similarly, on October 17, 2024, Respondent represented to the Board's investigators that he logged into the PMP "every so often" and that the last time he logged into the PMP was "a few months ago." During the PEC, when asked if Respondent checked the PMP for certain patients in 2024, Respondent acknowledged that he was not diligent or compliant with

the PMP requirements for that year. Respondent recognized that he needed to check the PMP more often.

Moreover, Respondent submitted a typed transcription of Patient 2's written patient record. Respondent initially represented that the submission was an accurate transcription of his written record. Upon being asked why the typed transcription was more expansive compared to the written record, Respondent acknowledged that the record was not contemporaneous and maintained that he wanted to provide as much detail as possible in addition to the written records he produced.

Respondent's failure to maintain a contemporaneous record and failure to check the PMP despite prescribing CDS to multiple patients violates N.J.S.A. 45:1-21 (h). See N.J.A.C. 13:35-7.6 (f)(5) (requiring licensee to check the PMP when continuously prescribing CDS for chronic pain); N.J.A.C. 13:45A-35.9 (a) (requiring licensees to check the PMP when prescribing a C-IV benzodiazepine for the first time and to check the PMP on a quarterly basis if patients are continuously prescribed C-II or C-IV CDS); and N.J.A.C. 13:35-6.5 (b) (requiring contemporaneous patient records). Respondent's misrepresentations to the Board that he checked the PMP also constitutes the employment of dishonesty or misrepresentation in violation of N.J.S.A. 45:1-21 (b) and

violates the licensee's duty to cooperate with the Board's investigation, N.J.A.C. 13:45C-1.2.

Finally, Respondent failed to complete 100 continuing medical education credits ("CMEs") for the biennial renewal period between July 1, 2023 and June 30, 2025, as required by N.J.A.C. 13:35-6.15.

Respondent, being desirous of resolving this matter without the necessity of formal proceedings and having waived any right to a hearing in this matter, and it appearing that Respondent has read the terms of the within Consent Order and understands their meaning and effect and consents to be bound by same and has availed himself of the advice of counsel, and the Board having determined that this Consent Order is sufficiently protective of the public health, safety and welfare, and other good cause having been shown,

IT IS, THEREFORE, ON THIS 19th **DAY OF** MAY **, 2026,**

ORDERED AND AGREED THAT:

1. Respondent Frank A. Abenante, M.D. is hereby reprimanded for his conduct as described above.

2. Respondent is assessed a civil penalty in the amount of $15,000.

3. Respondent is further assessed a penalty totaling $10,000 ($100 per missing credit) for failure to obtain sufficient CME credits for the 2023-2025 biennial renewal period. No later than

six (6) months after the date this Consent Order is filed, Respondent must submit proof of completion of at least 40 Category I CMEs, including the required courses in end-of-life care and opioids, and the remainder of 60 CMEs which may be Category II, to Marilyn Gorney-Daley, D.O., Medical Director, State Board of Medical Examiners, 140 East Front Street, P.O. Box 183, Trenton, New Jersey 08625-0813. Respondent shall bear the cost of the courses and shall not use any credits obtained through the courses towards the fulfillment of the current biennial CME requirement.

4. Payment of the combined $25,000 penalty shall be submitted by certified bank check, wire transfer, credit card, or money order made payable to the "State of New Jersey" and sent to Antonia Winstead, Executive Director, State Board of Medical Examiners, 140 East Front Street, P.O. Box 183, Trenton, New Jersey 08625. Any other form of payment will be rejected and will be returned to the party making payment. Payment shall be made in eighteen (18) monthly installments as follows: the first payment of $1389.04 shall be due within thirty (30) days of the entry of this Consent Order, with the remaining seventeen (17) payments of $1388.88 due within thirty (30) days of each prior payment. In the event a payment is not received within five days of its due date, the entire amount shall immediately become due and payable. In such event, a Certificate

of Debt shall be filed pursuant to N.J.S.A. 45:1-24.

5. Within six (6) months of the date this Consent Order is filed, Respondent shall enroll in and successfully complete a Board-approved course in ethics.

6. Within six (6) months of the date this Consent Order is filed, Respondent shall enroll in and successfully complete a Board-approved course in record-keeping.

7. Within six (6) months of the date this Consent Order is filed, Respondent shall enroll in and successfully complete a Board-approved course in CDS prescribing practices.

8. Proof of enrollment and successful completion of the coursework required in Paragraphs 5, 6, and 7 shall be provided to Marilyn Gorney-Daley, D.O., Medical Director of the Board, at the address described in Paragraph 3. Successful completion means that all sessions were attended, all assignments were properly and appropriately completed and a passing grade was achieved which was unconditional and without reservation. As long as the coursework is approved by the Board, the courses required in Paragraphs 5, 6, and 7 may be satisfied by online courses. Respondent shall bear the cost of the courses and shall not use any credits obtained through the courses towards the fulfillment of any biennial renewal requirements, including the requirements for the 2025-2027 and

2023-2025 biennial period.

9. The entry of the within Consent Order is without prejudice to the further investigation, prosecution and/or initiation of disciplinary action based upon any violations by Respondent of any statutes or regulations governing the practice of medicine in the State or any violations of law, by the Board, the Attorney General or any other regulatory or law enforcement agency, including but not limited to the conduct underlying the events described in this Consent Order.

10. The Board shall retain jurisdiction to enforce the terms of this Consent Order. Upon receipt of any reliable information indicating that Respondent has violated any term of this Consent Order, the Board reserves the right to bring disciplinary action.

11. Respondent shall comply fully with the "Notice of Reporting Practices of the Board Regarding Disciplinary Orders/Actions," attached hereto and made a part hereof.

12. Respondent enters into this Consent Order knowingly and voluntarily and acknowledges that there have been no other representations or agreements not stated in writing herein.

NEW JERSEY STATE BOARD OF MEDICAL EXAMINERS

By:

Chetan Shah, M.D.
President

I have read and understand this Consent Order and I agree to be bound by its terms. I consent to the form and entry of this Order.

/s/ FAA MD

Frank A. Abenante, M.D.

Dated: 5/3/26

I consent to the form of this Consent Order and to the entry of this Order by the Board.

Richard A. West

Richard A. West, Esq.
Attorney for Respondent

Dated: 5/15/26

NOTICE OF REPORTING PRACTICES OF BOARD REGARDING DISCIPLINARY ACTIONS

All Orders filed by the New Jersey State Board of Medical Examiners are "government records" as defined under the Open Public Records Act and are available for public inspection, copying or Examination. See N.J.S.A. 47:1A-1, et seq., N.J.S.A. 52:14B-3(3). Should any inquiry be made to the Board concerning the status of a licensee who has been the subject of a Board Order, the inquirer will be informed of the existence of the Order and a copy will be provided on request. Unless sealed or otherwise confidential, all documents filed in public actions taken against licensees, to include documents filed or introduced into evidence in evidentiary hearings, proceedings on motions or other applications conducted as public hearings, and the transcripts of any such proceedings, are "government records" available for public inspection, copying or examination.

Pursuant to N.J.S.A. 45:9-22, a description of any final board disciplinary action taken within the most recent ten years is included on the New Jersey Health Care Profile maintained by the Division of Consumer Affairs for all licensed physicians. Links to copies of Orders described thereon are also available on the Profile website. See http://www.njdoctorlist.com.

Copies of disciplinary Orders entered by the Board are additionally posted and available for inspection or download on the Board of Medical Examiners' website.
See http://njconsumeraffairs.gov/bme.

Pursuant to federal law, the Board is required to report to the National Practitioner Data Bank (the "NPDB") certain adverse licensure actions taken against licensees related to professional competence or conduct, generally including the revocation or suspension of a license; reprimand; censure; and/or probation. Additionally, any negative action or finding by the Board that, under New Jersey law, is publicly available information is reportable to the NPDB, to include, without limitation, limitations on scope of practice and final adverse actions that occur in conjunction with settlements in which no finding of liability has been made, Additional information regarding the specific actions which the Board is required to report to the National Practitioner Data Bank can be found in the NPDB Guidebook issued by the U.S. Department of Health and Human Services in April 2015. See http://www.npdb.hrsa.gov/resources/npdbguidebook.pdf.

Pursuant to N.J.S.A. 45:9-19.13, in any case in which the Board refuses to issue, suspends, revokes or otherwise places conditions on a license or permit, the Board is required to notify each licensed health care facility and health maintenance organization 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 entered by the Board is provided to the Federation on a monthly basis.

From time to time, the Press Office of the Division of Consumer Affairs may issue press releases including information regarding public actions taken by the Board.

Nothing herein is intended in any way to limit the Board, the Division of Consumer Affairs or the Attorney General from disclosing any public document.