

COPY

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF STATE
BEFORE THE STATE BOARD OF OSTEOPATHIC MEDICINE

Commonwealth of Pennsylvania
Bureau of Professional and
Occupational Affairs

vs.

Joel R. Carr, D.O.,
Respondent

File No.:

10-53-03610
11-53-00821

Docket No:

0936 -53-13

Department of State

2013 JUN 14 AM 11:22

PROTHONOTARY

CONSENT AGREEMENT AND ORDER

PARTIES

The Commonwealth of Pennsylvania, Department of State, Bureau of Professional and Occupational Affairs ("Commonwealth") and Joel R. Carr, D.O. ("Respondent") stipulate as follows in settlement of the above-captioned case.

APPLICABLE LAW

1. This matter is before the State Board of Osteopathic Medicine ("Board") pursuant to Osteopathic Medical Practice Act, Act of October 5, 1978, P.L. 1109, No. 261, ("Act"), 63 P.S. §§ 263-271.17, *as amended*; the Medical Care Availability and Reduction of Error ("Mcare") Act, Act of March 20, 2002, P.L. 154, No. 13, 40 P.S. §§ 1303.101-1303.910, *as amended*; and/or the Act of July 2, 1993, P.L. 345, No. 48 ("ACT 48"), 63 P.S. §§ 2201-2207, *as amended*.

LICENSURE STATUS

2. At all relevant and material times, Respondent held the following license to practice as an osteopathic physician and surgeon in the Commonwealth of Pennsylvania, License No. OS009693L, which was originally issued on June 27, 1997, and which has been suspended since March 9, 2011, pursuant to a Consent Agreement and Order issued by the Board on March 9, 2011 at File No. 11-53-01907.

3. A true and correct copy of the Consent Agreement and Order is attached hereto as
Exhibit A.

STIPULATED FACTS

4. The Respondent admits that the following allegations are true:
- a. Respondent's license may be continually reactivated, renewed, or reinstated upon the filing of the appropriate documentation and payment of the necessary fees.
 - b. Respondent's last known office address, as on file with the Board is 8 Jasmine Road, Lumberton, NJ 08048.
 - c. On or about February 14, 2011, Respondent was arrested by the Lumberton, New Jersey Police Department following a complaint by his wife and was charged with the following:
 - (1) Aggravated Assault with a Weapon in violation of N.J.S.A. 2c:12-1B;
 - (2) Threatening to Kill in violation of N.J.S.A. 2C:12-3B; and,
 - (3) Possession of a Weapon for an Unlawful Purpose in violation of N.J.S.A. 2C:39-4D.
 - d. On or about December 6, 2011, Respondent was admitted into the Burlington County Pre-Trial Intervention Program; Respondent successfully completed the Program and the charges were dismissed on September 28, 2012.
 - e. As a result of the arrest, on or about March 2, 2011, Respondent entered into a New Jersey Interim Consent Order within which his license to

practice medicine and surgery in the State of New Jersey was temporarily suspended effective immediately and pending further order of the Board.

f. A true and correct copy of the New Jersey Interim Consent Order dated March 2, 2011, is incorporated as an exhibit in the March 9, 2011 Consent Agreement and Order. (*See Exhibit A*).

g. At the time of this Consent Agreement, the New Jersey action is still pending.

h. The New Jersey action resulted in the Pennsylvania action at File No. 11-53-01907, temporarily indefinitely suspending Respondent's license, which has been suspended since March 9, 2011.

i. Based on the arrest, the New Jersey Interim Consent Order and the complaint of three patients concerning Respondent, on July 13, 2011, the Probable Cause Screening Committee of the State Board of Osteopathic Medicine¹ ordered Respondent to submit to a mental and physical examination by Dr. Pogos H. Voskanian.

j. Respondent attended the examination with Dr. Voskanian.

k. Dr. Voskanian opined that Respondent suffers from:

(1) depression; and

(2) anxiety.

l. Dr. Voskanian further concluded that, until Respondent's legal problems and administrative sanctions were resolved, he is unable to practice

¹ The Probable Cause Screening Committee members were Rohit K. Agrawal, D.O., FACOEP and Linda Platt Meyer, EdD, ATC, PES.

osteopathic medicine and surgery with reasonable skill and safety to patients as a result of a mental or physical condition.

m. Respondent wishes to voluntarily and permanently surrender his license to practice osteopathic medicine in the Commonwealth of Pennsylvania.

ALLEGED VIOLATIONS

5. The Commonwealth alleges that the Board is authorized to suspend, revoke, or otherwise restrict Respondent's license under Sections 11(c) and 15(a) of the Act, 63 P.S. §§ 271.11(c) & 271.15(a); and/or impose a civil penalty upon Respondent under Sections 11(c) and 15(a) of the Act, 63 P.S. §§ 271.11(c) & 271.15(a), and /or Section 5(b)(4) of ACT 48, 63 P.S. § 2205(b)(4); and/or impose the costs of investigation upon Respondent under Section 5(b)(5) of ACT 48, 63 P.S. § 2205(b)(5), because Respondent violated the Act at Section 15(a)(5), 63 P.S. § 271.15(a)(5), in that Respondent is unable to practice osteopathic medicine and surgery with reasonable skill and safety to patients as a result of a mental or physical condition.

PROPOSED ORDER

6. The parties, intending to be legally bound, consent to the issuance of the following Order in settlement of this matter:

a. The Board finds that it is authorized to suspend, revoke, or otherwise restrict Respondent's license under Sections 11(c) and 15(a) of the Act, 63 P.S. §§ 271.11(c) & 271.15(a); and/or impose a civil penalty upon Respondent under Sections 11(c) and 15(a) of the Act, 63 P.S. §§ 271.11(c) & 271.15(a), and/or Section 5(b)(4) of ACT 48, 63 P.S. § 2205(b)(4); and/or impose the costs of investigation upon Respondent under Section 5(b)(5) of ACT 48, 63 P.S. § 2205(b)(5), because Respondent violated the Act at Section 15(a)(5), 63 P.S. § 271.15(a)(5), in that Respondent is unable to practice osteopathic medicine and

surgery with reasonable skill and safety to patients as a result of a mental or physical condition.

PERMANENT VOLUNTARY SURRENDER

b. In consideration for not imposing other disciplinary sanctions (which could include the revocation of Respondent's license to practice as an osteopathic physician and surgeon and the imposition of civil penalties and/or the costs of investigation), the Parties propose, and the Board hereby accepts, the

PERMANENT VOLUNTARY SURRENDER of Respondent's license, License No. OS009693L, to practice as an osteopathic physician and surgeon in the Commonwealth of Pennsylvania, along with any other licenses, registrations, certificates, approvals, authorizations or permits (hereinafter referred to collectively as "authorizations to practice the profession") issued by the Board to Respondent at the time this Consent Agreement is adopted by the Board.

Respondent acknowledges that with the permanent voluntary surrender of his authorizations to practice the profession, Respondent is surrendering any and all property rights he may have in those authorizations to practice the profession and will no longer be eligible to renew those authorizations to practice the profession.

As further stated consideration for the Commonwealth not seeking other disciplinary sanctions against Respondent, Respondent agrees to:

(1) cease practicing as an osteopathic physician and surgeon in the Commonwealth on and after the effective date of this Consent Agreement and shall not indicate any ability to practice the profession in the Commonwealth in any manner whatsoever in the future;

(2) Unless otherwise specified in this agreement, Respondent agrees to not apply, at any time in the future, for the reactivation, reinstatement, reissuance or the issuance of any authorization to practice issued by the Board and further directs that the board should not consider, and may deny without hearing, any application for an authorization to practice filed with the Board;

(3) not work as an unlicensed assistant to any person holding an authorization from the Board to practice the profession;

(4) not possess a controlling interest in any organization requiring an authorization from the Board to practice the profession; and

(5) not possess a controlling interest in any organization whose employees require an authorization from the Board to practice the profession when conducting the business of the organization.

c. For purposes of this paragraph, the term 'controlling interest' shall include being an owner, officer, director, partner, or associate, as well as owning any quantity of outstanding corporate stock sufficient to control or direct the actions of the firm.

d. Respondent shall, within ten (10) days of adoption of this Consent Agreement and Order, surrender Respondent's wall certificate, biennial renewal

certificate and wallet card (or notarized affidavit of their loss or destruction) by mailing them to:

Kenneth J. Suter
Senior Prosecutor in Charge
Bureau of Professional and Occupational Affairs
P.O. Box 2649
Harrisburg, PA 17105-2649

or by delivering them in person at:

Bureau of Professional and Occupational Affairs
One Penn Center
2601 North 3rd St.
Harrisburg, Pennsylvania

e. This Order constitutes disciplinary action by the Board and shall be reported to other licensing authorities and any applicable national licensing databank as a disciplinary action by the Board.

f. This case shall be deemed settled and discontinued upon the Board issuing an Order adopting this Consent Agreement.

ADMISSIBILITY OF CONSENT AGREEMENT IN FUTURE PROCEEDINGS

7. Respondent agrees that if Respondent is charged with a violation of an Act enforced by this Board in the future, this Consent Agreement and Order shall be admitted into evidence without objection in that proceeding.

ACKNOWLEDGMENT OF NOTICE AND WAIVER OF HEARING

8. Respondent acknowledges receipt of an Order to Show Cause in this matter. Respondent knowingly and voluntarily waives the right to an administrative hearing in this matter, and to the following rights related to that hearing: to be represented by counsel at the hearing; to present witnesses and testimony in defense or in mitigation of any sanction that may be imposed for a violation; to cross-examine witnesses and to challenge evidence presented by

the Commonwealth; to present legal arguments by means of a brief; and to take an appeal from any final adverse decision.

ACKNOWLEDGMENT OF RIGHT TO ATTORNEY

9. Respondent acknowledges that he is aware that he has the right to consult with, and/or be represented by, private legal counsel of Respondent's choosing and at Respondent's expense when reviewing, considering and accepting the terms of this Consent Agreement. Respondent had an opportunity to consult with Attorney Julia E. Gabis, Esquire, regarding this Consent Agreement.

WAIVER OF CLAIM OF COMMINGLING AND OTHER CONSTITUTIONAL CLAIMS

10. Respondent expressly waives any constitutional rights and issues, such as commingling of prosecutorial and adjudicative functions by the Board or its counsel, which may arise or have arisen during the negotiation, preparation and/or presentation of this Consent Agreement. Respondent specifically agrees that if the Board rejects this agreement, it may assume that the facts and averments as alleged in this Consent Agreement are true and correct for the limited purpose of recommending a sanction, based on those assumed facts, that would be acceptable to the Board before hearing the case. In the event that the Board does assume the facts and averments as alleged in this Consent Agreement are true for purposes of making a recommendation as to an acceptable sanction, such action shall not constitute commingling of prosecutorial and adjudicative functions by the Board or its counsel, and the Respondent expressly waives any constitutional rights and issues related to alleged commingling, bias, or violation of due process rights to have an unbiased and impartial adjudicator in any subsequent hearing. If a hearing is subsequently held, neither this Consent Agreement nor the proposed terms of settlement may be admitted into evidence and any facts, averments, and allegations contained in the Consent Agreement must be proven at hearing unless otherwise separately

stipulated. This paragraph is binding on the participants even if the Board does not approve this Consent Agreement.

NO MODIFICATION OF ORDER

11. Respondent agrees, as a condition of entering into this Consent Agreement, not to seek modification at a later date of the Stipulated Order adopting and implementing this Consent Agreement without first obtaining the express written concurrence of the Prosecution Division.

AGREEMENT NOT BINDING ON OTHER PARTIES

12. The Office of General Counsel has approved this Consent Agreement as to form and legality; however, this Consent Agreement shall have no legal effect unless and until the Board issues the stipulated Order.

EFFECT OF BOARD'S REJECTION OF CONSENT AGREEMENT

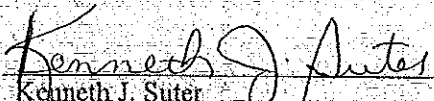
13. Should the Board not approve this Consent Agreement, presentation to and consideration of this Consent Agreement and other documents and matters by the Board shall not prejudice the Board or any of its members from further participation in the adjudication of this matter. This paragraph is binding on the participants even if the Board does not approve this Consent Agreement.

ENTIRE AGREEMENT

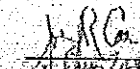
14. This agreement contains the whole agreement between the participants; provided however, that the captions printed in the various provisions of this agreement are for ease of reading only and are not to be interpreted as forming any part of this agreement. There are no other terms, obligations, covenants, representations, statements or conditions, or otherwise, of any kind whatsoever concerning this agreement.

VERIFICATION OF FACTS AND STATEMENTS

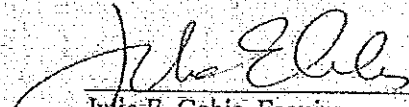
15. Respondent verifies that the facts and statements set forth in this Consent Agreement are true and correct to the best of Respondent's knowledge, information and belief. Respondent understands that statements in this Consent Agreement are made subject to the criminal penalties of 18 Pa.C.S.A. §4904 relating to unsworn falsification to authorities.


Kenneth J. Suter
Senior Prosecutor in Charge

DATED: March 27, 2013


Joel R. Carr, D.O.
Respondent

DATED: 3/22/13


Julia E. Gabis, Esquire
Attorney for Respondent

DATED: 3/22/13

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2011 MAR 14 AM 10:59
Department of State

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF STATE
BEFORE THE STATE BOARD OF OSTEOPATHIC MEDICINE

Commonwealth of Pennsylvania
Bureau of Professional and
Occupational Affairs

Docket No.: 0374-53-11

vs.

File No.: 11-53-01907

Joel R. Carr, D.O.
Respondent

CONSENT AGREEMENT AND ORDER

PARTIES

The Commonwealth of Pennsylvania, Department of State, Bureau of Professional and Occupational Affairs ("Commonwealth") and Joel R. Carr, D.O. ("Respondent") stipulate as follows in settlement of the above-captioned case.

APPLICABLE LAW

1. This matter is before the State Board of Osteopathic Medicine ("Board") pursuant to the Osteopathic Medical Practice Act, Act of October 5, 1978, P.L. 1109, No. 261, ("Act"), 63 P.S. §§ 263 -271.17, *as amended*; and/or the Act of July 2, 1993, P.L. 345, No. 48 ("ACT 48"), 63 P.S. §§ 2201-2207, *as amended*.

LICENSURE STATUS

2. At all relevant and material times, Respondent held the following license to practice as an osteopathic physician & surgeon in the Commonwealth of Pennsylvania: license no. OS009693L, which was originally issued on June 27, 1997, and which is currently set to expire on October 31, 2012.

STIPULATED FACTS

3. The Respondent admits that the following allegations are true:

EXHIBIT
A

a. Respondent's license may be continually reactivated, renewed, or reinstated upon the filing of the appropriate documentation and payment of the necessary fees.

b. Respondent's last known office address, as on file with the Board is: 8 Jasmine Road, Lumberton, NJ 08048.

c. On or about February 14, 2011, Respondent was arrested by the Lumberton, New Jersey Police Department and was charged with the following:

(1) Aggravated Assault with a Weapon in violation of N.J.S.A. 2c:12-1B;

(2) Threatening to Kill in violation of N.J.S.A. 2C:12-3B; and,

(3) Possession of a Weapon for an Unlawful

Purpose in violation of N.J.S.A. 2C:39-4D.

d. On or about March 2, 2011, Respondent entered into a New Jersey Interim Consent Order within which his license to practice medicine and surgery in the State of New Jersey was temporarily suspended effective immediately and pending further order of the Board.

e. A true and correct copy of the New Jersey Interim Consent Order dated March 2, 2011, is attached and incorporated as Exhibit A.

ALLEGED VIOLATIONS

4. The Commonwealth alleges that the Board is authorized to suspend, revoke, or otherwise restrict Respondent's license under Sections 11(c) and 15(a) of the Act, 63 P.S. §§ 271.11(c) & 271.15(a); and/or impose a civil penalty upon Respondent under Sections 11(c) and 15(a) of the Act, 63 P.S. §§ 271.11(c) & 271.15(a), and /or Section 5(b)(4) of ACT 48, 63 P.S. §

2205(b)(4); and/or impose the costs of investigation upon Respondent under Section 5(b)(5) of ACT 48, 63 P.S. § 2205(b)(5), because Respondent violated the Act at Section 15(a)(4), 63 P.S. § 271.15(a)(4), in that his license to practice osteopathic medicine and surgery was revoked or suspended or having other disciplinary action taken, or an application for a license refused, revoked or suspended by the proper licensing authority of another state, territory or country.

PROPOSED ORDER

5. Respondent, intending to be legally bound, and while admitting no guilt or wrongdoing and solely for the purposes of this proceeding before the Board, hereby consents to the issuance of the following Order in settlement of this matter:

a. The Board finds that it is authorized to suspend, revoke, or otherwise restrict Respondent's license under Sections 11(c) and 15(a) of the Act, 63 P.S. §§ 271.11(c) & 271.15(a); and/or impose a civil penalty upon Respondent under Sections 11(c) and 15(a) of the Act, 63 P.S. §§ 271.11(c) & 271.15(a), and/or Section 5(b)(4) of ACT 48, 63 P.S. § 2205(b)(4); and/or impose the costs of investigation upon Respondent under Section 5(b)(5) of ACT 48, 63 P.S. § 2205(b)(5), because Respondent violated the Act at Section 15(a)(4), 63 P.S. § 271.15(a)(4), in that his license to practice osteopathic medicine and surgery was revoked or suspended or having other disciplinary action taken, or an application for a license refused, revoked or suspended by the proper licensing authority of another state, territory or country.

INDEFINITE SUSPENSION

b. Respondent's license to practice as an osteopathic physician & surgeon in the Commonwealth of Pennsylvania, License No. OS009693L, is hereby **TEMPORARILY SUSPENDED** until such time as Board grants the reinstatement of his license to practice as an osteopathic physician & surgeon as provided for below.

c. Respondent shall, within ten (10) days of the beginning of the period of active suspension, surrender his wall certificate, biennial renewal certificate and wallet card (or notarized affidavit of their loss or destruction) by mailing them to:

Kenneth J. Suter
Prosecuting Attorney
Bureau of Professional and Occupational Affairs
P.O. Box 2649
Harrisburg, PA 17105-2649

or by delivering them in person at:

Bureau of Professional and Occupational Affairs
One Penn Center
2601 North 3rd St.
Harrisburg, Pennsylvania

d. Upon the effective date of the Consent Agreement, and during the period of active suspension, Respondent shall cease and desist from practicing as an osteopathic physician & surgeon, and shall not represent himself as a Board licensee in any matter during any period of active suspension.

c. The Respondent accepts that the Commonwealth can establish a prima facie case in support of the temporary suspension of his license to practice osteopathic medicine.

f. Respondent waives his rights to a preliminary hearing in this matter and the temporary suspension of his license for the 180-day period for suspension, extending the suspension until such time as the Board issues an Order on this matter or until otherwise ordered or agreed to by the parties, as more fully set forth below:

(1) Should Respondent be convicted of any of the charges set forth in the criminal complaint or any additional criminal complaints with similar charges relating to Respondent's osteopathic medical practice, Respondent's license shall remain temporarily suspended until an Order is entered by the Board.

(2) Should Respondent be acquitted of all criminal charges, Respondent may petition the Board to remove his license from suspended status and reinstate his license to unrestricted status upon written notice to the Board of an acquittal of all charges. Respondent's license shall be reinstated; provided that Respondent has paid all requisite fees and is compliant with his continuing education requirements.

g. This Order constitutes disciplinary action by the Board and shall be reported to other licensing authorities and any applicable national licensing databank as a disciplinary action by the Board.

ADMISSIBILITY OF CONSENT AGREEMENT IN FUTURE PROCEEDINGS

6. Respondent agrees that if Respondent is charged with a violation of an Act enforced by this Board in the future, this Consent Agreement and Order shall be admitted into evidence without objection in that proceeding.

ACKNOWLEDGMENT OF NOTICE AND WAIVER OF HEARING

7. Respondent waives the filing of an Order to Show Cause in this matter. Respondent knowingly and voluntarily waives the right to an administrative hearing in this matter, and to the following rights related to that hearing: to be represented by counsel at the hearing; to present witnesses and testimony in defense or in mitigation of any sanction that may be imposed for a violation; to cross-examine witnesses and to challenge evidence presented by the

Commonwealth; to present legal arguments by means of a brief; and to take an appeal from any final adverse decision.

ACKNOWLEDGMENT OF RIGHT TO ATTORNEY

8. Respondent acknowledges that he is aware that he has the right to consult with and/or be represented by, private legal counsel of Respondent's choosing and at Respondent's expense when reviewing, considering and accepting the terms of this Consent Agreement. Respondent had an opportunity to consult with Attorney Julia E. Gabis, regarding this Consent Agreement.

WAIVER OF CLAIM OF COMMINGLING AND OTHER CONSTITUTIONAL CLAIMS

9. Respondent expressly waives any constitutional rights and issues, such as commingling of prosecutorial and adjudicative functions by the Board or its counsel, which may

arise or have arisen during the negotiation, preparation and/or presentation of this Consent Agreement. Respondent specifically agrees that if the Board rejects this agreement, it may assume that the facts and averments as alleged in this Consent Agreement are true and correct for the limited purpose of recommending a sanction, based on those assumed facts, that would be acceptable to the Board before hearing the case. In the event that the Board does assume the facts and averments as alleged in this Consent Agreement are true for purposes of making a recommendation as to an acceptable sanction, such action shall not constitute commingling of prosecutorial and adjudicative functions by the Board or its counsel, and the Respondent expressly waives any constitutional rights and issues related to alleged commingling, bias, or violation of due process rights to have an unbiased and impartial adjudicator in any subsequent hearing. If a hearing is subsequently held, neither this Consent Agreement nor the proposed terms of settlement may not be admitted into evidence and any facts, averments, and allegations contained in the Consent Agreement must be proven at hearing unless otherwise separately

stipulated. This paragraph is binding on the participants even if the Board does not approve this Consent Agreement.

NO MODIFICATION OF ORDER

10. Respondent agrees, as a condition of entering into this Consent Agreement, not to seek modification at a later date of the Stipulated Order adopting and implementing this Consent Agreement without first obtaining the express written concurrence of the Prosecution Division.

AGREEMENT NOT BINDING ON OTHER PARTIES

11. The Office of General Counsel has approved this Consent Agreement as to form and legality; however, this Consent Agreement shall have no legal effect unless and until the Board issues the stipulated Order.

EFFECT OF BOARD'S REJECTION OF CONSENT AGREEMENT

12. Should the Board not approve this Consent Agreement, presentation to and consideration of this Consent Agreement and other documents and matters by the Board shall not prejudice the Board or any of its members from further participation in the adjudication of this matter. This paragraph is binding on the participants even if the Board does not approve this Consent Agreement.

ENTIRE AGREEMENT

13. This agreement contains the whole agreement between the participants; provided however, that the captions printed in the various provisions of this agreement are for ease of reading only and are not to be interpreted as forming any part of this agreement. There are no other terms, obligations, covenants, representations, statements or conditions, or otherwise, of any kind whatsoever concerning this agreement.

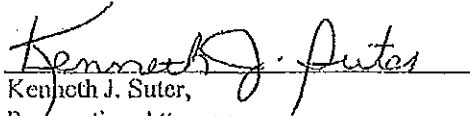
AGREEMENT DOES NOT PREVENT ADDITIONAL DISCIPLINE BASED ON THIS OR OTHER COMPLAINTS

14. Nothing in this Order shall preclude the Prosecution Division for the Commonwealth from filing an Order to Show Cause and seeking to discipline Respondent's license based on the allegations that serve as the basis for this Agreement or any other matter that may be a violation of the Osteopathic Medical Practice Act.

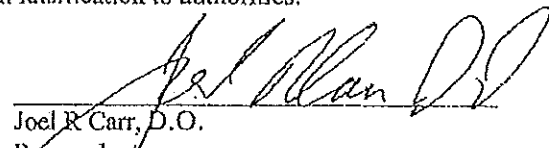
VERIFICATION OF FACTS AND STATEMENTS

15. Respondent verifies that the facts and statements set forth in this Consent Agreement are true and correct to the best of Respondent's knowledge, information and belief. Respondent

understands that statements in this Consent Agreement are made subject to the criminal penalties of 18 Pa.C.S.A. §4904 relating to unsworn falsification to authorities.


Kenneth J. Suter,
Prosecuting Attorney
Department of State

DATED: March 9, 2011


Joel R Carr, D.O.
Respondent

DATED: 3/7/11

PAULA T. DOW
ATTORNEY GENERAL OF NEW JERSEY
Division of Law
124 Halsey Street
P.O. Box 45029
Newark, New Jersey 07101

FILED

March 2, 2011

NEW JERSEY STATE BOARD
OF MEDICAL EXAMINERS

By: David M. Puteska
Deputy Attorney General
Tel. (973) 648-2972

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

IN THE MATTER OF THE SUSPENSION
OR REVOCATION OF THE LICENSE OF

JOEL R. CARR, D.O.
LICENSE NO. 25MB08222900

Administrative Action

INTERIM CONSENT ORDER

TO PRACTICE MEDICINE AND SURGERY
IN THE STATE OF NEW JERSEY

This matter was opened to the State Board of Medical Examiners (the "Board") upon receipt of information that Joel R. Carr, D.O., License No. 25MB08222900 ("Respondent") was arrested by the Lumberton, New Jersey Police Department on February 14, 2011 and charged with Aggravated Assault with a Weapon in violation of N.J.S.A. 2C:12-1B; Threatening to Kill in violation of N.J.S.A. 2C:12-3B; and Possession of a Weapon for an Unlawful Purpose in violation of N.J.S.A. 2C:39-4D. Each of these allegations, if proven, would form the basis for the suspension or revocation of Respondent's license to practice medicine in New Jersey pursuant to N.J.S.A. 45:1-21 et seq. Respondent's arrest, and other information known to the Board, would also palpably

CERTIFIED TRUE COPY

EXHIBIT
A

demonstrates a clear and imminent danger to the public health, safety and welfare pursuant to N.J.S.A. 45:1-22(h).

Respondent, without admissions, now seeks leave to temporarily surrender his license to practice medicine and surgery in the State of New Jersey in accordance with the terms of this Order.

The Board being satisfied that entry of the within Order is adequately protective of the public health, safety, and welfare, and being satisfied that good cause exists for entry of the within Order,

IT IS on this 2nd day of March, 2011

HEREBY ORDERED AND AGREED THAT:

1. The license to practice medicine and surgery in the State of New Jersey, issued to Joel R. Carr, D.O. is hereby temporarily suspended effective immediately and pending further order of the Board.

2. Respondent shall immediately return his original New Jersey license, current biennial registration and CDS registration to the New Jersey State Board of Medical Examiners, 140 E. Front Street, P.O. Box 183, Tronton, New Jersey 08625-0183, and shall immediately cease and desist from prescribing or dispensing medications and from the practice of medicine.

3. Respondent shall immediately surrender his CDS registration to the Drug Enforcement Administration. Respondent shall take the appropriate steps to destroy any and all prescription pads in his possession in accordance with the Board Directives referenced in paragraph 5 of this order.

4. Respondent understands and agrees that resolution of the pending criminal charges will not resolve any matter which has, or could, be brought before the Board. The parties hereby stipulate that entry of this Order is without prejudice to further investigation and/or action by this

Board 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.

5. Respondent shall have the right to apply for a hearing before the Board, on notice to the Attorney General, for relief from this order of temporary suspension upon a showing of fitness to practice. A hearing before the Board, or a committee thereof, on Respondent's application shall be scheduled within a reasonable amount of time to consider the application; Said application shall be granted or denied in the Board's sole discretion.

6. Respondent shall comply with the "Directives Applicable to Any Medical Board Licensee who is Suspended, Revoked, or whose Surrender of Licensure has been Accepted" which are attached hereto as Exhibit A and incorporated by reference.

NEW JERSEY STATE BOARD OF
MEDICAL EXAMINERS

By: Kevin Walsh, P.A., CC
Kevin Walsh, P.A.
Acting President

I have read and understand
the above Order and I agree
to abide by its terms.

Joel R. Carr, D.O.

Dated: 2-28-11

Consented to as to form:

Carl Poplar, Esq.
Attorney for Dr. Carr

Carl Poplar
Carl Poplar, Esq.

Dated: 2-28-11

EXHIBIT A**DIRECTIVES APPLICABLE TO ANY MEDICAL BOARD LICENSEE
WHO IS DISCIPLINED OR WHOSE SURRENDER OF LICENSURE
HAS BEEN ACCEPTED****APPROVED BY THE BOARD ON MAY 10, 2000**

All licensees who are the subject of a disciplinary order of the Board are required to provide the information required on the Addendum to these Directives. The information provided will be maintained separately and will not be part of the public document filed with the Board. Failure to provide the information required may result in further disciplinary action for failing to cooperate with the Board, as required by N.J.A.C. 13:45C-1 et seq. Paragraphs 1 through 4 below shall apply when a license is suspended or revoked or permanently surrendered, with or without prejudice. Paragraph 5 applies to licensees who are the subject of an order which, while permitting continued practice, contains a probation or monitoring requirement.

1. Document Return and Agency Notification

The licensee shall promptly forward to the Board office at Post Office Box 183, 140 East Front Street, 2nd floor, Trenton, New Jersey 08625-0183, the original license, current biennial registration and, if applicable, the original CDS registration. In addition, if the licensee holds a Drug Enforcement Agency (DEA) registration, he or she shall promptly advise the DEA of the licensure action. (With respect to suspensions of a finite term, at the conclusion of the term, the licensee may contact the Board office for the return of the documents previously surrendered to the Board. In addition, at the conclusion of the term, the licensee should contact the DEA to advise of the resumption of practice and to ascertain the impact of that change upon his/her DEA registration.)

2. Practice Cessation

The licensee shall cease and desist from engaging in the practice of medicine in this State. This prohibition not only bars a licensee from rendering professional services, but also from providing an opinion as to professional practice or its application, or representing him/herself as being eligible to practice. (Although the licensee need not affirmatively advise patients or others of the revocation, suspension or surrender, the licensee must truthfully disclose his/her licensure status in response to inquiry.) The disciplined licensee is also prohibited from occupying, sharing or using office space in which another licensee provides health care services. The disciplined licensee may contract for, accept payment from another licensee for or rent at fair market value office premises and/or equipment. In no case may the disciplined licensee authorize, allow or condone the use of his/her provider number by any health care practice or any other licensee or health care provider. (In situations where the licensee has been suspended for less than one year, the licensee may accept payment from another professional who is using his/her office during the

period that the licensee is suspended, for the payment of salaries for office staff employed at the time of the Board action.) A licensee whose license has been revoked, suspended for one (1) year or more or permanently surrendered must remove signs and take affirmative action to stop advertisements by which his/her eligibility to practice is represented. The licensee must also take steps to remove his/her name from professional listings, telephone directories, professional stationery, or billings. If the licensee's name is utilized in a group practice title, it shall be deleted. Prescription pads bearing the licensee's name shall be destroyed. A destruction report form obtained from the Office of Drug Control (973-504-6568) must be filed. If no other licensee is providing services at the location, all medications must be removed and returned to the manufacturer, if possible, destroyed or safeguarded. (In situations where a licensee has been suspended for less than one year, prescription pads and medications need not be destroyed but must be secured in a locked place for safekeeping.)

3. Practice Income Prohibitions/Divestiture of Equity Interest in Professional Service Corporations and Limited Liability Companies

A licensee shall not charge, receive or share in any fee for professional services rendered by him/herself or others while barred from engaging in the professional practice. The licensee may be compensated for the reasonable value of services lawfully rendered and disbursements incurred on a patient's behalf prior to the effective date of the Board action.

A licensee who is a shareholder in a professional service corporation organized to engage in the professional practice, whose license is revoked, surrendered or suspended for a term of one (1) year or more shall be deemed to be disqualified from the practice within the meaning of the Professional Service Corporation Act, (N.J.S.A. 14A:17-11). A disqualified licensee shall divest him/herself of all financial interest in the professional service corporation pursuant to N.J.S.A. 14A:17-13(c). A licensee who is a member of a limited liability company organized pursuant to N.J.S.A. 42:1-44, shall divest him/herself of all financial interest. Such divestiture shall occur within 90 days following the entry of the Order rendering the licensee disqualified to participate in the applicable form of ownership. Upon divestiture, a licensee shall forward to the Board a copy of documentation forwarded to the Secretary of State, Commercial Reporting Division, demonstrating that the interest has been terminated. If the licensee is the sole shareholder in a professional service corporation, the corporation must be dissolved within 90 days of the licensee's disqualification.

4. Medical Records

If, as a result of the Board's action, a practice is closed or transferred to another location, the licensee shall ensure that during the three (3) month period following the effective date of the disciplinary order, a message will be delivered to patients calling the former office premises, advising where records may be obtained. The message should inform patients of the names and telephone numbers of the licensee (or his/her attorney)

assuming custody of the records. The same information shall also be disseminated by means of a notice to be published at least once per month for three (3) months in a newspaper of 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.

NAME
NJ License #

ADDENDUM

Any licensee who is the subject of an order of the Board suspending, revoking or otherwise conditioning the license, shall provide the following information at the time that the order is signed, if it is entered by consent, or immediately after service of a fully executed order entered after a hearing. The information required here is necessary for the Board to fulfill its reporting obligations:

Social Security Number: _____

List the Name and Address of any and all Health Care Facilities with which you are affiliated:

List the Names and Address of any and all Health Maintenance Organizations with which you are affiliated:

Provide the names and addresses of every person with whom you are associated in your professional practice: (You may attach a blank sheet of stationery bearing this information).

Pursuant to 45 CFR Subtitle A Section 61.7 and 45 CFR Subtitle A Section 60.8, the Board is required to obtain your Social Security Number and/or federal taxpayer identification number in order to discharge its responsibility to report adverse actions to the National Practitioner Data Bank and the HIP Data Bank.

**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. 45:9-18.13, 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.

**COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF STATE
BEFORE THE STATE BOARD OF OSTEOPATHIC MEDICINE**

Commonwealth of Pennsylvania
Bureau of Professional and
Occupational Affairs

vs.

Joel R Carr, D.O.
Respondent

:
:
: Docket No.: -53-11
:

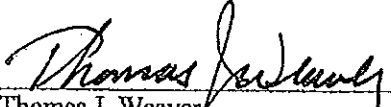
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: File No.: 11-53-01907
:

ORDER

AND NOW, this 9 day of MAR, 2011, the STATE BOARD OF OSTEOPATHIC MEDICINE ("Board") adopts and approves the foregoing Consent Agreement and incorporates the terms of paragraph 5, which shall constitute the Board's Order and is now issued in resolution of this matter.

This Order shall take effect immediately.

**BUREAU OF PROFESSIONAL AND
OCCUPATIONAL AFFAIRS**

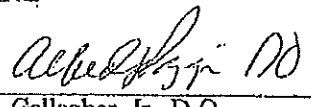

Thomas J. Weaver
Acting Commissioner

For the Commonwealth:

For the Respondent:

Date of mailing: MARCH 14, 2011
3411/MasterGeneral/Soc122710

**BY ORDER:
STATE BOARD OF OSTEOPATHIC
MEDICINE**


Joseph C. Gallagher, Jr., D.O.
Chairman

Kenneth J. Suter, Esquire
2601 North Third Street
P. O. Box 2649
Harrisburg, PA 17105-2649

Julia B. Gabis, Esquire
Julia B. Gabis & Associates
401 East Elm St, Ste 200
Conshohocken, PA 19428

**COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF STATE
BEFORE THE STATE BOARD OF OSTEOPATHIC MEDICINE**

Commonwealth of Pennsylvania
Bureau of Professional and
Occupational Affairs

File No.: 10-53-03610
11-53-00871

vs.

Joel R. Carr, D.O.,
Respondent

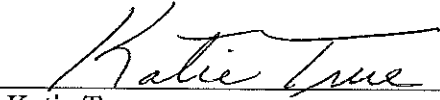
Docket No: -53-13

ORDER

AND NOW, this 12th day of June 2013, the STATE BOARD OF OSTEOPATHIC MEDICINE ("Board") adopts and approves the foregoing Consent Agreement and incorporates the terms of paragraph 6, which shall constitute the Board's Order and is now issued in resolution of this matter.

This Order shall take effect immediately.

**BUREAU OF PROFESSIONAL AND
OCCUPATIONAL AFFAIRS**

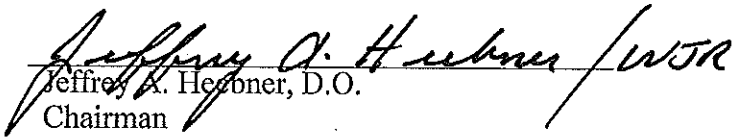

Katie True
Commissioner

For the Commonwealth:

For the Respondent:

Date of mailing: June 14, 2013

**BY ORDER:
STATE BOARD OF OSTEOPATHIC
MEDICINE**


Jeffrey A. Heebner, D.O.
Chairman

Kenneth J. Suter, Esquire
2601 North Third Street
P. O. Box 2649
Harrisburg, PA 17105-2649

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