

PAULA T. DOW  
ATTORNEY GENERAL OF NEW JERSEY  
Division of Law  
124 Halsey Street, 5<sup>th</sup> Floor  
P.O. Box 45029  
Newark, New Jersey 07101

**FILED**

July 29, 2011

**NEW JERSEY STATE BOARD  
OF MEDICAL EXAMINERS**

Attorney for the New Jersey  
State Board of Medical Examiners

By: Wendy Leggett Faulk  
Deputy Attorney General  
(973) 648-7093

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

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

ADMINISTRATIVE ACTION

SYLVIA S. LEE, M.D. :  
LICENSE NO. MA05331700 :

VERIFIED COMPLAINT

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

Paula T. Dow, Attorney General of New Jersey, by Wendy Leggett  
Faulk, Deputy Attorney General, with offices located at 124 Halsey  
Street, 5<sup>th</sup> Floor, Newark, New Jersey 07101, by way of Complaint  
says:

**GENERAL ALLEGATIONS**

1. Complainant, Attorney General of New Jersey, is charged  
with enforcing the laws in the State of New Jersey pursuant to  
N.J.S.A. 52:17A-4(h) and is empowered to initiate administrative

disciplinary proceedings against persons licensed by the New Jersey State Board of Medical Examiners (the "Board") pursuant to N.J.S.A. 45:1-14 et seq.

2. The Board is charged with the duty and responsibility of regulating the practice of medicine and surgery in the State of New Jersey pursuant to N.J.S.A. 45:9-1 et seq.

3. Respondent, Sylvia S. Lee, M.D. is licensed to practice medicine and surgery in the State of New Jersey, and was the holder of License No. MA05331700 at all times pertinent to this Complaint.

4. Respondent is engaged in the practice of medicine in New Jersey, principally at the Center for Asthma and Allergy located at 200 Perrine Road, Suite 207, in Old Bridge, New Jersey.

5. On July 3, 2011, Respondent was arrested by the Emerson Police Department and charged with aggravated assault in violation of N.J.S.A. 2C:12-1(b)(3), and endangering the welfare of a child in violation of N.J.S.A. 2C:24-4(a), stemming from Respondent's alleged physical assault on T.K., a 13 year old minor child who was in her home. [Certification of Wendy Leggett Faulk, dated July 26, 2011, filed herewith ("Faulk Cert.") Ex. A thereof].

6. Initials are used in this Complaint to protect the confidentiality of the victim and any minors referenced herein. All identities are known to the Respondent and have been made known to the State Board of Medical Examiners.

**COUNT I**

1. The General Allegations are repeated and realleged as if set forth at length herein.

2. On July 3, 2011, at approximately 1:30 p.m., members of the Emerson Police Department were dispatched to the home of W.L., a 16 year old minor who resides near the Respondent in the town of Emerson, New Jersey. W.L. had called the police and reported that minor-child T.K., the victim, had been hurt by the Respondent while in the Respondent's home nearby. Upon entry into W.L.'s home, one of the responding officers, Sgt. Stephan Clark, observed that the victim was upset and had visible injuries to her arms - specifically dark bruises and numerous small bleeding cuts. While Sgt. Clark spoke to W.L., the victim told the other responding officer, Police Officer Anthony Mazzo, that the Respondent "had hit her and stabbed her many times with a screwdriver." [Faulk Cert., Ex. B].

3. Sergeant Clark and Officer Mazzo then went to the Respondent's home to speak with her. When asked by the officers what happened to the victim, Respondent stated that T.K. had not washed the dogs' clothing in the proper order. Respondent admitted to striking T.K. several times, and the officers then placed her under arrest and transported her to the Emerson Police Department headquarters. [Faulk Cert., Ex. A]

4. At the police headquarters, Sgt. Stephan Clark and Sgt. Michael Mazzeo interviewed the Respondent. The interview was

recorded by video camera. Respondent was advised of her Miranda rights in writing, and she stated that she understood her rights and agreed to speak with the officers. [Faulk Cert., Ex. C, Transcript of Lee Interview ("Lee Tr.") 6:19-25, 7:1-13].

5. During the interview, Respondent explained that she has two dogs and that T.K. was supposed to wash the dogs' clothing and towels in a certain order, and did not. Respondent stated that "usually we wash the dirty doggy clothes first, then the not-so-dirty doggy clothes next," and that T.K. should have known not to wash the dogs' towel because the dogs had not been given a bath yet. [Lee Tr. 10:25, 11:1-8]. Respondent admitted to becoming angry "right away" about T.K.'s error and losing her temper. [Lee Tr. 11:12-13].

6. Respondent stated that this was not the first time she had lost her temper, that she has had anger problems in the past, and has hit T.K. while angry. Respondent stated that she has not gone for help to manage her temper. [Lee Tr. 13:3]. Respondent stated that when she has previously lost her temper with T.K. and hit her, T.K. did not sustain serious injury because the Respondent has "been careful." [Lee Tr. 14:6].

7. Respondent stated that she had hit T.K. approximately three or four days prior to this incident and that she "probably left a mark" on T.K.'s upper arm and shoulder. [Lee Tr. 19:13-21]. Regarding T.K.'s fresh injuries, Respondent admitted that she used a screwdriver to "poke" T.K. multiple times all over her arms and

torso. [Lee Tr. 29:3, 32:17-24]. Respondent stated that she was "trying to scare" T.K. by poking her with the screwdriver so that she would not make the same mistake again. [Lee Tr. 30:16-25, 31:1-8]. In response to Sgt. Clark's question regarding why she poked T.K. so many times, Respondent replied "I was wrong and that's why I stabbed her so many times." [Lee Tr. 33:11-12]. Respondent stated that she did not realize T.K. was bleeding until Sgt. Clark said so. [Lee Tr. 35:9-25]. She recalled that T.K. did not try to resist or fight back at all during the assault, and that T.K. was crying and covering up. [Lee Tr. 36:20-25]. She also stated that T.K. has never shown any signs of anger or violence toward her or any animal. [Lee Tr. 55:4-16]. Respondent stated that she thought she stabbed T.K. approximately twenty (20) times with the screwdriver. [Lee Tr. 37:25].

8. Respondent stated to Sgt. Clark that on the day before the incident, she stabbed herself with the screwdriver "just to see what it felt like," and noted that "it hurt, but it was not excruciating" and it "did not leave a mark." [Lee Tr. 44:17-19, 46:4-5]. Respondent stated that she "tried it" on herself to make sure it "wasn't that painful" and she felt that it would not cause permanent injury. [Lee Tr. 47:13-17].

9. Emerson Police Officer Carol Leins was called into duty on the day of the incident to assist the victim, T.K. Officer Leins photographed T.K.'s injuries and accompanied her to Valley Hospital in Ridgewood. [Faulk Cert., Ex. D]. Officer Leins counted

at least one hundred (100) marks on T.K.'s body from the stabbings [Faulk Cert., Ex. D; Ex. E, Photographs of T.K.'s Injuries, ("Victim Photos") No. 2 through 7]. Officer Leins observed that T.K. sustained more severe injuries on her back and buttocks, that the screwdriver had pierced her shorts and panties, ripping holes, and that blood was dried in the hole openings. [Faulk Cert., Ex. D; Victim Photos No. 8 - 10].

10. The victim gave Officer Leins a verbal statement describing how the attack took place. [Faulk Cert., Ex. D]. The victim stated that when caring for the two dogs, Respondent requires her to gather all dirty laundry including doggy clothes and used cloth diapers, and to wash them only after the dogs have been bathed. T.K. stated that she "forgot the dog towel in the wash." Respondent then asked T.K. about the towel and began verbally abusing her and striking her in the face, including punching her in the left ear. [Faulk Cert., Ex. D]. After a short interval, Respondent then began to assault T.K. with the metal end of a screwdriver on the back, upper arms and buttocks. T.K. stated she turned to face a wall to protect herself. [Faulk Cert., Ex. D]. T.K. stated that while tending to the dogs as Respondent instructed her to do, she got dog hair on her slippers and tracked it into the family room. Angry at T.K. for wearing dirty slippers on vacuumed floors, Respondent resumed stabbing T.K. with the screwdriver and threatened to stab her more if T.K. did not stop crying. [Faulk

Cert., Ex. D]. T.K. then ran from the house to a neighbor's house, and the neighbor's sixteen year old son, W.L., called the police.

11. Respondent has engaged in acts constituting a crime or offense involving moral turpitude, and her conduct evidences an incapacity to discharge the functions of a licensee in a manner consistent with the public's health, safety and welfare. Pursuant to N.J.S.A. 45:1-21 (f) and (i), respectively, the Board may, for these reasons, suspend or revoke Respondent's license to practice medicine and surgery in this State. Further, Respondent's conduct demonstrates a failure by Respondent to fulfill the on-going statutory requirement of good moral character required by N.J.S.A. 45:9-6.

12. Respondent's conduct, as alleged herein, palpably demonstrates a clear and imminent danger to the public so as to warrant temporary suspension of her license to practice medicine, pursuant to N.J.S.A. 45:1-22.

WHEREFORE, Complainant demands the entry of an Order against the Respondent as follows:

1. The immediate temporary suspension of Respondent's license to practice medicine and surgery in the State of New Jersey pending a full plenary hearing pursuant to N.J.S.A. 45:1-22;

2. An Order directing Respondent to immediately undergo a Board-approved psychiatric evaluation of her fitness to practice medicine and surgery with reasonable skill and safety, and comply

with any and all recommendations resulting therefrom, in accordance with N.J.S.A. 45:1-22;

3. Imposition of penalties for each separate offense set forth herein, pursuant to N.J.S.A. 45:1-25(a);

4. Imposition of costs, including investigative costs, attorneys' fees and costs of hearing, including transcripts, in accordance with N.J.S.A. 45:1-25(d); and

5. Such other and further relief as the Board shall deem just and appropriate.

PAULA T. DOW  
ATTORNEY GENERAL OF NEW JERSEY

By:   
Wendy Leggett Paulk  
Deputy Attorney General

Date: 7/27/11