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**FILED**

June 25, 2012

**NEW JERSEY STATE BOARD  
OF MEDICAL EXAMINERS**

By: Meaghan Goulding  
Deputy Attorney General  
Tel. [REDACTED]

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

INTERIM CONSENT ORDER  
OF  
TEMPORARY SUSPENSION

MARK M. O'CONNELL, M.D.  
License No. 25MA06567600

TO PRACTICE MEDICINE AND SURGERY  
IN THE STATE OF NEW JERSEY

This matter was opened to the New Jersey State Board of Medical Examiners (hereinafter the "Board") upon receipt of information that on June 20, 2012 Mark M. O'Connell, M.D. (hereinafter "Respondent" or "Dr. O'Connell") admitted the following to members of the Enforcement Bureau of the Division of Consumer Affairs during an inspection of Advanced Urgent Care in Lawrenceville, New Jersey. Dr. O'Connell, who is the only licensed physician practicing at that location, admitted that he had dispensed controlled dangerous substances ("CDS"), specifically Phentermine, Vicodine, and Promethazine to patients

**CERTIFIED TRUE COPY**

of the practice despite not having a CDS registration for that location nor any DEA certification. He also admitted that he had instructed the staff to telephone prescriptions to patients' pharmacies using another doctor's name and DEA certification, though the doctor was not on the premises and is not licensed in the State of New Jersey to practice medicine and surgery.

The inspection of the practice also revealed that there was expired CDS and unlabeled CDS in the office. While the CDS was stored in a locked cabinet, employees of the practice admitted that it was only within the last week that the CDS was stored in a locked cabinet and up until then had been in an unlocked cabinet. Respondent admitted to the investigators that, although he is the only licensed physician on the premises, he does not have control over the CDS in the office. He also admitted that he had prescribed CDS to his patients in quantities he knew were larger than those allowed.

Respondent admits the above conduct and agrees that the conduct constitutes the use or employment of dishonesty, fraud, deception, misrepresentation, false promise or false pretense in violation of N.J.S.A. 45:1-21 (b), professional or occupational misconduct in violation N.J.S.A. 45:1-21 (e), a violation or failure to comply with the provisions of any act or regulation administered by the board in violation of N.J.S.A. 45:1-21(h), specifically N.J.A.C. 13:35-7.5 (requirements for dispensing of

drugs and special limitations applicable to the dispensing of drugs for a fee).

Respondent has been the subject of a number of Board Orders dating back to 1997 due to allegations of substance abuse and misconduct. The most recent Order dated February 25, 2011 allowed Respondent to return to the practice of medicine with a restricted license. Among the many restrictions in that order, Dr. O'Connell agreed that he shall practice medicine and surgery solely in a hospital or institutional setting and/or a setting pre-approved by the Board. While Dr. O'Connell advised the Board in February 2012 that he would be practicing at Advanced Urgent Care in Lawrenceville, New Jersey, he commenced practice without approval, which has never been provided.

The parties being desirous of resolving this matter without the necessity of further proceedings and it appearing that Respondent has read the terms of the within Order and understands their meaning and effect and consents to be bound by same, and it further appearing that the Board finds the within disposition to be adequately protective of the public health, safety, and welfare,

IT IS ON THIS 25th DAY OF June, 2012,

ORDERED THAT

1. Mark M. O'Connell, M.D. is hereby granted leave and shall immediately surrender his license to practice medicine

and surgery in the State of New Jersey. Such surrender is to be deemed an immediate temporary suspension of his license pending a hearing before the Board of Medical Examiners and further order of the Board.

2. Mark O'Connell, M.D. shall cease and desist from the practice of medicine and surgery in the State of New Jersey.

3. Mark O'Connell, M.D. shall return his original New Jersey license and current biennial registration to the New Jersey State Board of Medical Examiners, Post Office Box 183, Trenton, New Jersey 08625-0183, upon his receipt of a filed copy of this order.

4. Mark O'Connell, M.D. shall comply with the attached Directives for Physicians who are Disciplined or whose Surrender of Licensure has been Accepted by the Board, which are incorporated herein by reference.

5. Mark O'Connell, M.D. shall return his original CDS registration to the New Jersey State Board of Medical Examiners, Post Office Box 183, Trenton, New Jersey 08625-0183, upon his receipt of a filed copy of this order. [The parties note that Respondent voluntarily surrendered his CDS license to members of the Enforcement Bureau on June 20, 2012].

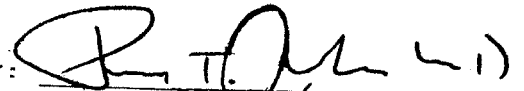
6. Mark O'Connell, M.D. shall immediately advise the DEA of this order.

7. The parties hereby stipulate that entry of this Interim Consent Order is without prejudice to further action, discipline, investigation or restrictions upon any reinstatement, by this Board, the Attorney General, the Drug Control Unit, the Director of the Division of Consumer Affairs or other law enforcement entities resulting from Mark O'Connell's, M.D., conduct prior to the entry of this Order.

8. The parties hereby stipulate that entry of this Interim Consent Order shall not be deemed an admission by Mark O'Connell, M.D. of any of the criminal activity referenced herein and shall not constitute a waiver of any defenses he may assert with reference to the criminal charges.

NEW JERSEY STATE BOARD  
OF MEDICAL EXAMINERS

By:



PAUL T. JORDAN  
Board President

I have read this Consent Order and understand that this Order has serious legal consequences. I agree to be bound by all terms and conditions and I consent to the entry of this Order

 6/25/12

Mark M. O'Connell, M.D.  
Dated: