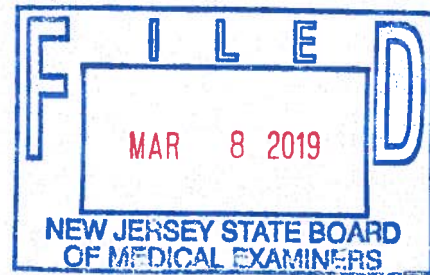


GURBIR S. GREWAL
ATTORNEY GENERAL OF NEW JERSEY
Division of Law
124 Halsey Street
P.O. Box 45029
Newark, New Jersey 07101



By: Pavithra Angara Deputy Attorney General
Tel. (973) 648-7457
Pavithra.Angara@law.njoag.gov
Attorney ID: 001702012

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
REVOCAION OF THE LICENSE OF

Alan H. Faustino, M.D.
License No. 25MA07168000

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 (the "Board") upon receipt of information that Alan Faustino, M.D. ("Respondent") was engaged in the indiscriminate prescribing of Controlled Dangerous Substances ("CDS"). On or about April 22, 2015, the Atlantic County Prosecutor's Office ("ACPO") along with investigators from the Enforcement Bureau of the Division of Consumer Affairs ("EB") and agents from the Drug Enforcement Administration ("DEA") conducted an inspection of Respondent's medical office. The inspection revealed that Respondent had been prescribing CDS without legitimate medical purpose to his patients and resulted in Respondent's arrest by the ACPO. On October 15, 2015, Respondent was indicted on charges of second degree possession with the intent to distribute CDS

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and second degree conspiracy as the leader of a narcotics trafficking organization. On February 9, 2018, Respondent entered a plea of guilty to the charges of possession with intent to distribute CDS. On July 5, 2018, Respondent was sentenced to four years in New Jersey State Prison.

After his arrest on April 22, 2015, Respondent entered into an interim consent order for the temporary suspension of his medical license and NJ CDS Registration pending further order of the Board and the Director of the Division of Consumer Affairs. The Board finds that Respondent's conduct, as described above, provides a basis for disciplinary action under N.J.S.A. 45:1-21(e), (f) and (m).

Respondent, being desirous of resolving this matter without the need of a formal hearing, and it appearing that the Respondent has read the terms of the within Order and understands their meaning and effect and agrees to be bound by same, and the Board, finding the within disposition adequately protective of the public health, safety and welfare, and further finding that good cause exists for the entry of this Order:

IT IS, therefore, on this 8th day of MARCH, 201~~8~~⁹,

ORDERED THAT:

1. The license to practice medicine in the State of New Jersey, issued to Respondent, Alan H. Faustino, M.D., License No. 25MA07168000, is hereby voluntarily surrendered with such surrender to be deemed a permanent revocation.
2. Respondent shall continue to cease and desist all patient contact at any location in New Jersey and the rendering of medical care, including the issuance of any prescriptions for, or dispensation of, medications of any kind, including but not limited to CDS.

3. Respondent shall not enter the premises of his former medical practice during business hours when patients may be present.

4. Respondent shall not charge, receive or share in any fee for professional services rendered by others. Respondent shall be permitted to collect accounts receivable with respect to professional services that he rendered prior to the temporary suspension of his medical license in April 2015.

5. Respondent shall comply with N.J.A.C. 13:35-6.5(h), the Board regulation for practice closure. Within ten days of the filing of this Consent Order, Respondent is to notify William

V. Roeder, Executive Director, New Jersey State Board of Medical Examiners, 140 East Front Street, P.O. Box 183, Trenton, New Jersey 08625-0183 as to where his patient records are secured, and how patients may obtain them.

6. The revocation of Respondent's license shall be with prejudice and Respondent agrees to not reapply for a New Jersey medical license or to seek a CDS registration in New Jersey in the future.

7. Respondent shall be precluded from managing, overseeing, supervising or influencing the practice of medicine or provision of healthcare activities, including by testifying as an expert witness, in the State of New Jersey.

8. Respondent shall divest himself from any current and future financial interest in, or benefit derived from, the practice of medicine.

9. Respondent shall immediately return his original New Jersey license to William V. Roeder, Executive Director, New Jersey State Board of Medical Examiners, P.O. Box 183,

Trenton, NJ 08625-0183. Respondent shall promptly notify the DEA of the entry of this Consent Order and provide proof of such notification to the Board.

10. Respondent shall immediately send all of his remaining prescription blanks, along with a cover memorandum indicating that he will no longer be writing prescriptions and asking that his prescription blanks be destroyed pursuant to standard operating procedures, to Jessica Fiorilli, Executive Director, Drug Control Unit, P.O. Box 45022, Newark, New Jersey 07101.

11. Respondent shall comply with the attached "Directives Applicable to Any Medical Board Licensee who is Disciplined or Whose Surrender of Licensure or Cessation of Practice has been Ordered or Agreed Upon."


12. This Consent Order shall be a full and final disposition of the present investigation of Respondent. The Board shall retain jurisdiction to enforce the terms of this Order.

13. The parties hereby stipulate that entry of this Order is without prejudice to further action, investigation, and prosecution by this Board, the Attorney General, the Drug Control Unit, the Director of the Division of Consumer Affairs or other law enforcement resulting from Respondent's conduct prior to the entry of this Order. This Order shall be a full and final resolution by this Board of all violations and facts expressly referenced in this Order.

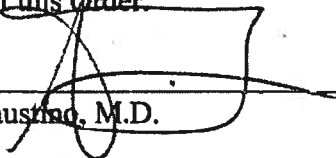
14. Respondent has been specifically informed that he may consult an attorney to represent him in this matter. Respondent acknowledges that he has been advised of the ability to consult with counsel and that he chooses to voluntarily enter into this Consent Order.

NEW JERSEY STATE BOARD OF MEDICAL EXAMINERS

By: _____


Paul Carniol, M.D.
Board President

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



Alan H. Faustino, M.D.

Dated: 2/12/19

I consent to the form and entry of this Order.



Mark Roddy, Esq.

Dated: 2-12-19

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.