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STATE OF NEW JERSEY
DEPARTMENT OF LAW AND PUBLIC SAFETY
DIVISION OF CONSUMER AFFAIRS
STATE BOARD OF MEDICAL EXAMINERS &
DRUG CONTROL UNIT

IN THE MATTER OF THE SUSPENSION OR
REVOCAION OF THE LICENSE AND NJ
CDS REGISTRATION OF

MARC WATSON, MD
License No: 25MA04274900
CDS REG. NO. D04086700

Administrative Action

FINAL CONSENT ORDER

This matter was opened to the New Jersey State Board of Medical Examiners (the "Board") and Cari Fais, Acting Director of the New Jersey Division of Consumer Affairs (the "Director") upon receipt of information that Marc C. Watson, M.D., License No. 25MA04274900 and NJ CDS Registration No. D04086700 ("Respondent"), was engaged in the indiscriminate prescribing of Controlled Dangerous Substances ("CDS") providing the basis for Board action under N.J.S.A. 45:1-21 (c), (d),(e), (m) and (h), and was engaged in the prescribing of CDS in the usual course of professional practice without legitimate medical purpose in violation of N.J.A.C. 13:45H-7.4,

which provides the basis under N.J.S.A. 24:21-12(a)(3) for the Director to suspend or revoke Respondent's CDS registration.

Information provided to the Board and the Director indicates that on or about February 6, 2023, the Enforcement Bureau of the Division of Consumer Affairs ("EB") conducted an inspection and an investigation of Respondent's medical office located in Cedar Grove, New Jersey. The EB also obtained additional evidence including, but not limited to, ten patient records. Through the investigation, it was determined that Respondent, a vascular surgeon who has been practicing addiction medicine since 2005, had been prescribing CDS without sufficient medical justification, notably highly addictive benzodiazepines, stimulants and in some cases, narcotics to his patients. Specifically, between January 1, 2020 and December 26, 2022, Respondent authorized 675 prescriptions for dextro-amphetamine, 449 prescriptions for alprazolam and 191 prescriptions for oxycodone. In addition, the investigation uncovered evidence of inadequate physical examinations, patient monitoring and record keeping.

On August 2, 2023, Respondent appeared before a Preliminary Evaluation Committee of the Board. Respondent's testimony included admissions that he has no formal training in addiction medicine, did not see any patients in person or conduct any urine screens between March 2020 and August 2021, does not utilize medication contracts and takes few notes. Further, Respondent often fails to obtain a patient's prior medical records; diagnoses conditions, including psychiatric and neurological conditions, without adequate testing; and has prescribed CDS upon a patient's initial presentation before first prescribing safer alternative medications.

The Board's investigation evidences that Respondent, while practicing as an addiction physician, acted inappropriately by prescribing a high volume of CDS to his patients. Specifically, the evidence shows that in some cases he prescribed CDS to certain patients for years without fully

assessing the patient's underlying medical conditions or referring the patient to alternate treatment providers, like psychiatrists. The allegations, if proven, would support a finding that Respondent engaged in acts of negligence, professional misconduct and indiscriminate prescribing of CDS in violation of N.J.S.A. 45:1-21(c), (d), (e), (m) and (h) as well as N.J.A.C. 13:H-7.4

The parties desiring to resolve this matter without the need for formal administrative proceedings; and it appearing that Respondent has read the terms of the within Final Consent Order and understands their meaning and effect including his agreement to permanently cease and desist from engaging in the clinical practice of medicine and surgery; and, on the advice of counsel, Respondent agreeing to be bound by the terms of this Order; and the Board and the Director, finding that the resolution herein adequately protects the public health, safety and welfare, and that good cause exists for the entry of this Order;

IT IS, therefore, on this _____ day of _____, 2023

ORDERED and AGREED that:

1. Respondent, Marc C. Watson, M.D., is hereby reprimanded for his improper prescribing of CDS, recordkeeping and patient monitoring.
2. Respondent shall permanently cease engaging in the clinical practice of medicine and surgery in the State of New Jersey. Respondent shall not diagnose, treat or otherwise render medical care to any person at any location in the State of New Jersey. Respondent must also cease the issuance of any prescription for, or dispensation of, medications of any kind within the State of New Jersey, including, but not limited to CDS.
3. In order to allow adequate time for the transfer of care of Respondent's patients, Respondent shall be afforded a thirty-day "wind-down" period following the filing of this Final Consent Order. Respondent shall not accept any new patients during the "wind-down" period and

shall, during that time period, ensure that arrangements are made for the orderly transfer of care of current patients to other New Jersey licensed physicians, and that patients have access to their patient records pursuant to the requirements of N.J.A.C. 13:35-6.5(h).

4. Following the wind-down period, Respondent shall comply with N.J.A.C. 13:35-6.5(h) to close his clinical practice.

5. Respondent may retain his medical license for only the following limited purposes. In connection with his ownership and operation of a mobile Occupational Safety and Health Administration (“OSHA”) testing business through Horizon Health Access, PC, Respondent may conduct OSHA mandated tests of construction workers as the tests do not involve diagnosis, treatment or prescribing. Respondent does not have any discretion as to which tests to administer and does not interpret the results of the tests, which include a respirator fit test, pulmonary function test, urine drug screen, alcohol breathalyzer test and blood tests. Respondent shall not engage in the practice of medicine in the State of New Jersey in any other capacity other than that permitted by this paragraph. Respondent shall not seek to expand the scope of his medical practice beyond that permitted by this paragraph.

6. Within forty (40) days of the filing of this Final Consent Order, Respondent is to notify Antonia Winstead, Executive Director, 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.

7. Following the thirty-day wind-down period, Respondent shall be permanently enjoined from seeking or obtaining hospital or health care facility or medical staff privileges.

8. Following the thirty-day wind-down period, Respondent shall not enter the premises of his former medical practice during business hours when patients may be present.

9. Following the thirty-day wind-down period, 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 clinical services that he rendered prior to the end of the wind-down period.

10. Following the thirty-day wind-down period, Respondent is precluded from managing, overseeing, supervising or influencing the practice of medicine or provision of healthcare activities in the State of New Jersey.

11. Following the thirty-day wind -down period, Respondent shall divest himself from all current and future financial interest in or benefit derived from the practice of medicine except that he may continue to maintain an interest in and derive earnings from the OSHA business.

12. Respondent's New Jersey CDS Registration, pursuant to the authority of the Director under N.J.S.A. 24:21-9 et seq., is immediately permanently retired with such retirement to be deemed a permanent revocation. This CDS Registration revocation is independent of any action taken by the Board, the United States Drug Enforcement Administration ("DEA") or any other law enforcement or licensing authority. A copy of this Consent Order, signed by the Director, will be filed with the Division's Drug Control Unit.

13. The revocation of Respondent's CDS Registration shall be with prejudice. Respondent agrees not to seek a CDS Registration in New Jersey at any future time.

14. Respondent shall immediately return his original New Jersey CDS Registration to Dana Pulizzano, Executive Director, Drug Control Unit, P.O. Box 45045, Newark, NJ 07101.

15. Respondent agrees to comply with the Drug Control Unit's requirements to destroy all of his remaining prescription blanks. Respondent shall provide within forty (40) days of the filing of this Final Consent Order "Certifications of the Destruction of New Jersey Prescription

Blanks (NJPBs)” to Dana Pulizzano, Executive Officer, Enforcement Bureau Drug Control Unit, P.O. Box 45045, Newark, New Jersey 07101.

16. Pursuant to N.J.S.A. 24:21-12(f), the Director shall promptly notify the DEA of the entry of this Final Consent Order.

17. Respondent is hereby assessed a civil penalty in the amount of \$15, 000 and costs in the amount of \$29, 579. Payment of the full amount owed shall be made within ten days of entry of this Final Consent Order. A Certificate of Debt reflecting the \$44, 579.00 due and owing shall be filed pursuant to N.J.S.A. 45:1-24 to protect the judgment. Payment shall be made by certified bank check, certified check, wire transfer, credit card, or money order, payable to the State of New Jersey and forwarded to the attention of Antonia Winstead, Executive Director, Board of Medical Examiners, 140 East Front Street, 2nd floor, Trenton, New Jersey 08608. Any payment in a form other than those noted in this Paragraph will be rejected and returned to the sender.

18. The parties stipulate that entry of this Final Consent Order is without prejudice to further action or investigation, 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 Dr. Watson's conduct prior to the entry of this Order.

19. Failure to comply with any provision of this Final Consent Order will result in subsequent disciplinary proceedings for failure to comply with an Order of the Board.

20. Respondent shall comply with the 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, which are attached hereto and incorporated herein.

