IN THE MATTER OF THE TEMPORARY SUSPENSION OF THE NJ CDS REGISTRATION OF

MAHESH M. MEHTA, M.D.
License No. 25MA 05820100
CDS Registration D06276400

PRACTICING MEDICINE AND SURGERY IN THE STATE OF NEW JERSEY

This matter was opened to the New Jersey State Board of Medical Examiners ("Board") and to the Acting Director of the Division of Consumer Affairs ("Director") upon receipt of information that Mahesh M. Mehta, M.D., ("Respondent"), while engaging in medical practice, prescribed Controlled Dangerous Substances ("CDS") indiscriminately and without legitimate medical purpose, in violation of N.J.S.A. 45:1-21(m) and N.J.A.C. 13:45H-7.4. As such, the conduct provides basis under N.J.S.A. 45:1-21 and N.J.S.A. 24:21-12(a)(3) for the Board and for the Acting Director of the Division of Consumer Affairs, Drug Control Unit, to suspend or revoke Respondent's NJ CDS registration.
Respondent was arrested on July 19, 2019 by the New Jersey Medicaid Fraud Control Unit, Office of Insurance Fraud Prosecutor, for unlawful prescribing of Controlled Drugs.

Respondent maintains a medical practice located at 426 10th Ave., Paterson, NJ. Having consulted his legal counsel, Respondent has consented to this Interim Order, which temporarily suspends his CDS Registration in part until further order of the Board, the Director, and agreement of the parties as to further proceedings.

The Board and the Division of Consumer Affairs, Drug Control Unit, finding the within interim disposition adequately protective of the public health, safety and welfare, and other good cause having been shown,

IT IS, therefore, on this ___ day of November 2019,

ORDERED THAT:

1. Respondent’s privilege to prescribe Controlled Dangerous Substances under CDS Registration No. D06276400 is hereby temporarily suspended, except for Schedule III Suboxone, effective immediately, pending further order of the Board and the Director.

2. Respondent shall immediately cease and desist from the prescribing or dispensing or administering of all Controlled Dangerous Substances with the exception of Suboxone.

3. Pursuant to N.J.S.A. 24:21-12(e), Respondent shall immediately place under seal all CDS in his possession, except for Suboxone and any CDS prescribed for his personal use for a documented medical purpose by his treating physician. Respondent’s other CDS, if any, shall remain under seal until such time as the Director issues a subsequent Order which includes the disposition of the sealed items.

4. Pursuant to N.J.S.A. 24:21-12(f), the Director shall promptly notify the DEA of the entry of this Interim Consent Order.
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5. This Interim Order shall remain in effect until specifically modified by the Board and the Director through the entry of a subsequent order. This Order is independent of, and not in lieu of, proceedings that have been brought by the Office of the Insurance Fraud Prosecutor or which may be brought on behalf of the federal Drug Enforcement Administration or on behalf of the State Board of Medical Examiners, and resolution of any matters pending before these or another agency will not resolve any matter which could be brought before the Board or Director of the Division of Consumer Affairs, Drug Control Unit.

6. Entry of this Order is without prejudice to the filing of an Administrative Complaint and/or further investigation and/or action by this Board, the Director, or other law enforcement entities resulting from Respondent’s conduct. The entry of this Order is without admission of any wrongdoing by Respondent.

7. The annexed "Notice of Reporting Practices of the Board" is incorporated herein.

NEW JERSEY STATE BOARD OF MEDICAL EXAMINERS

By: [Signature] 11/11/19
Scott E. Metzger, M.D.
President

NEW JERSEY DIVISION OF CONSUMER AFFAIRS

By: [Signature]
Paul R. Rodriguez
Acting Director
I have read the within Order, understand its terms and agree to be bound by them. I consent to entry of the Order by the Board of Medical Examiners and the Director of the Division of Consumer Affairs.

Mahesh M. Mehta, M.D.  
Date: 11/11/19

Witness:  
Date: 11/11/19

Darren Gelber, Esq.  
Counsel to Mahesh M. Mehta, M.D.

The Deputy Attorney General and defense counsel are unrelated.
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.