

Public

STATE OF NEW YORK DEPARTMENT OF HEALTH
STATE BOARD FOR PROFESSIONAL MEDICAL CONDUCT

IN THE MATTER
OF
ROGER LALLEMAND, M.D.
CO-12-05-2580-A

COMMISSIONER'S
SUMMARY
ORDER

TO: Roger Lallemand, M.D.
REDACTED

The undersigned, Sue Kelly, Executive Deputy Commissioner of Health, pursuant to New York Public Health Law §230, upon the recommendation of a Committee on Professional Medical Conduct of the State Board for Professional Medical Conduct, has determined that the duly authorized professional disciplinary agency of another jurisdiction, the State of New Jersey, State Board of Medical Examiners, has made a finding substantially equivalent to a finding that the practice of medicine by **ROGER LALLEMAND, M.D.**, Respondent, New York license number 221488, in that jurisdiction, constitutes an imminent danger to the health of its people, as is more fully set forth in the Interim Consent Order, dated May 9, 2012, attached, hereto, as Appendix "A," and made a part, hereof.

It is, therefore:

ORDERED, pursuant to New York Public Health Law §230(12)(b), that effective immediately, **ROGER LALLEMAND, M.D.**, shall not practice medicine in the State of New York or in any other jurisdiction where that practice is predicated on a valid New York State license to practice medicine.

ANY PRACTICE OF MEDICINE IN THE STATE OF NEW YORK IN VIOLATION OF THIS ORDER SHALL CONSTITUTE PROFESSIONAL MISCONDUCT WITHIN THE MEANING OF NEW YORK EDUCATION LAW §6530(29) AND MAY CONSTITUTE UNAUTHORIZED MEDICAL PRACTICE, A FELONY DEFINED BY NEW YORK EDUCATION LAW §6512.

This Order shall remain in effect until the final conclusion of a hearing which shall commence within thirty (30) days after the final conclusion of the disciplinary proceeding in Florida.

The hearing will be held pursuant to the provisions of New York Public Health Law §230, and New York State Administrative Procedure Act §§301-307 and 401. The hearing will be conducted before a committee on professional conduct of the State Board for Professional Medical Conduct on a date and at a location to be set forth in a written Notice of Referral Proceeding to be provided to the Respondent after the final conclusion of the Florida proceeding. Said written Notice may be provided in person, by mail, or by other means. If Respondent wishes to be provided said written notice at an address other than that set forth above, Respondent shall so notify, in writing, both the attorney whose name is set forth in this Order, and the Director of the Office of Professional Medical Conduct, at the addresses set forth below.

RESPONDENT SHALL NOTIFY THE DIRECTOR OF THE OFFICE OF PROFESSIONAL MEDICAL CONDUCT, NEW YORK STATE DEPARTMENT OF HEALTH, 150 BROADWAY, SUITE 510, MENANDS, NY 12204-2719, VIA CERTIFIED MAIL, RETURN RECEIPT REQUESTED, OF THE FINAL CONCLUSION OF THE PROCEEDING IMMEDIATELY UPON SUCH CONCLUSION.

THESE PROCEEDINGS MAY RESULT IN A DETERMINATION THAT YOUR
LICENSE TO PRACTICE MEDICINE IN NEW YORK STATE BE REVOKED OR
SUSPENDED AND/OR THAT YOU BE FINED OR SUBJECT TO OTHER
SANCTIONS SET FORTH IN NEW YORK PUBLIC HEALTH LAW §230-a.
YOU ARE URGED TO OBTAIN AN ATTORNEY TO REPRESENT YOU IN
THIS MATTER.

DATE: Albany, New York

Sept. 13, 2012

REDACTED

Sue Kelly
Executive Deputy Commissioner of Health
New York State Department of Health

Inquires should be directed to:

Joel E. Ablove
Associate Counsel
Bureau of Professional Medical Conduct
Corning Tower – Room 2512
Empire State Plaza
Albany, New York 12237
(518) 473-4282

FILED

May 9, 2012

NEW JERSEY STATE BOARD
OF MEDICAL EXAMINERS

JEFFREY S. CHIESA
ATTORNEY GENERAL OF NEW JERSEY
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By: Carla M. Silva
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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

ROGER LALLEMAND, JR., M.D.
LICENSE NO. 25MA07185000

TO PRACTICE MEDICINE AND SURGERY
IN THE STATE OF NEW JERSEY

Administrative Action
INTERIM CONSENT ORDER

This matter was opened to the New Jersey State Board of Medical Examiners (hereinafter the "Board") on May 1, 2012, by an Order to Show Cause and Verified Administrative Complaint, of Jeffrey S. Chiesa, Attorney General of New Jersey, by Carla M. Silva, Deputy Attorney General, on notice to Respondent, Roger Lallemand, Jr., M.D. (hereinafter "Respondent"), seeking the temporary suspension of the Respondent's license to practice medicine and surgery and for such other relief deemed appropriate, pursuant to the authority conferred on the Board by N.J.S.A. 45:9-1 et seq. and N.J.S.A. 45:1-14 et seq. and related administrative

CERTIFIED TRUE COPY

regulations. The return date of the Order to Show Cause is May 9, 2012.

The Verified Complaint alleges that Respondent violated N.J.S.A. 45:1-21(c) (providing that disciplinary action may be taken against a licensee who engages in gross malpractice, gross negligence, and/or gross incompetence), 45:1-21(d) (providing that disciplinary action may be taken against a licensee who engages in repeated acts of negligence, malpractice, and/or incompetence), 45:1-21(b) (providing that disciplinary action may be taken against a licensee who engages in dishonesty, fraud, deception or misrepresentation), 45:1-21(h) (providing that disciplinary action may be taken against a licensee who violates a Board regulation, herein specifically N.J.A.C. 13:35-6.5(b)(2) for a failure to conform to the record keeping requirements), 45:1-21(e) (providing that disciplinary action may be taken against a licensee who engages in professional misconduct), 45:1-21(m) (providing that disciplinary action may be taken against a licensee who engages in prescribing of CDS indiscriminately or without good cause) and 45:1-22 (providing for the immediate temporary suspension of a licensee who palpably demonstrates that his continued practice of medicine and/or surgery presents a clear and imminent danger to the public health, safety, and welfare).

Respondent desirous of resolving this matter pending a plenary hearing in the Office of Administrative Law and the Board, finding the within disposition adequately protective of the public health, safety and welfare and the parties having agreed hereto,

It is on this 9th day of May, 2012,

Ordered and Agreed:

1. Roger Lallemand, Jr., M.D. agrees to and shall cease and desist from the practice of medicine in all jurisdictions effective the 9th day of May, 2012.

2. Respondent shall immediately return his original CDS registration to the New Jersey State Board of Medical Examiners, Post Office Box 183, Trenton, New Jersey, 08625-0183.

3. Respondent shall immediately advise the DEA of this Order and return his original DEA registration.

4. This is an interim resolution which shall remain in place pending the outcome of the plenary hearing and further order of the Board of Medical Examiners.

5. This Interim Consent Order does not constitute an admission by or finding against Respondent.

6. Upon receipt of proof of Respondent's failure to materially comply with any of the conditions herein, the Attorney General reserves the right to proceed on the temporary suspension

application filed on May 1, 2012 and/or file an application in aid of litigant's rights.

7. The parties hereby stipulate that the plenary hearing will proceed without undue delay.

8. The parties hereby stipulate that entry of this Order is without prejudice to further action by this Board or other law enforcement entities resulting from Respondent's conduct prior to the entry of this Order, and without prejudice to the further prosecution of the allegations contained in the Verified Administrative Complaint filed with the Board of Medical Examiners on May 1, 2012.

STATE BOARD OF MEDICAL EXAMINERS

REDACTED

By: Paul T. Jordan, M.D.
Board President

I have read and understood this Interim Agreement and consent to be bound by its terms. Consent is hereby given to the Board to enter this Order.

REDACTED

Roger Lallemand, Jr., M.D.

Consented to as to form;

REDACTED

Daniel Staquinto, Esq.
Attorney for Respondent

R. Bruce
Cochran