

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF STATE
BEFORE THE STATE BOARD OF MEDICINE

PROTHONOTARY

JUL 24 4 14 PM '96

BUREAU OF PROFESSIONAL
AND
OCCUPATIONAL AFFAIRS

Commonwealth of Pennsylvania :
Bureau of Professional and :
Occupational Affairs :

vs. :

Eric R. Braverman, M.D., :
Respondent :

Docket No. 0117 MISC-96
File No. 96-49-03117

PETITION FOR IMMEDIATE TEMPORARY SUSPENSION

AND NOW, comes the Commonwealth of Pennsylvania, by and through its Prosecuting Attorney, Kathleen Klett Ryan, Esquire, and files the within Petition for Immediate Temporary Suspension of the unrestricted license to practice medicine and surgery issued to Eric R. Braverman, M.D. pursuant to Section 40 (a) of the Medical Practice Act, Act of December 20, 1985, P.L. 457, No. 112, as amended ("Act"), 63 P.S. §422.40, and in support thereof avers as follows:

1. Your Petitioner is a Prosecuting Attorney for the Bureau of Professional and Occupational Affairs ("BPOA") a departmental administrative agency within the Department of State.

2. Eric R. Braverman, M.D. ("Respondent") is licensed to practice medicine and surgery without restriction within the Commonwealth of Pennsylvania, holding license No. MD 042712-E.

3. Respondent's address on file with the Board is 212 Commons Way, Princeton, New Jersey, 08520.

4. Respondent's license with the Board is current through December 31, 1996, and can be renewed by payment of the necessary fees.

5. On July 10, 1996, following a preliminary hearing, the New Jersey Board of Medical Examiners ordered the temporary suspension of Respondent's license to practice medicine and surgery in the State of New Jersey. Respondent was given one week in which to transfer patients to another physician. (See Exhibit A attached).

6. The basis of the suspension in the New Jersey proceeding stems from a twelve-count complaint, including allegations of fraud; misrepresentation; incompetence in diagnosing; treating; and performing of psychological tests which are contra-indicated and for which Respondent is not qualified to perform. These allegations involve at least twelve different patients ranging in age from nine years old to sixty-one years of age.

(See Exhibit B attached - copy of complaint and Exhibits).

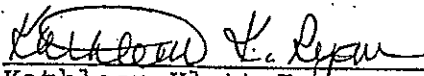
7. The eleven records upon which New Jersey based its action were reviewed by Dr. Peter Vaquez, a Board certified physician who received honors in psychiatry at the Ohio State University College of Medicine. It was Dr. Vaquez's opinion that:

... Dr. Braverman's treatment had been "profoundly inappropriate, unethical or unsafe" in six, and represented "a deviation significant for health risks" in four. In five of the eleven, Dr. Vaquez found that Dr. Braverman's diagnoses had been profoundly inappropriate, unethical, or unsafe, and in four cases represented a deviation significant for health risk. In ten of the eleven cases, Dr. Braverman had administered or ordered diagnostic testing without indication, either through generally accepted standards of screening and promotion, or to assess specific complaints and/or symptoms, and said unnecessary testing represented a significant deviation from the normal practice of medicine and allowed Dr. Braverman to charge exorbitant fees to his patients. (See Exhibit C, page two attached).

WHEREFORE, your Petitioner respectfully requests that the Board issue and serve an Order as follows:

- a. That Respondent presents an immediate and clear danger to the public health and safety based upon the allegations;
- b. That Respondent's license to practice medicine and surgery, License No. MD 042712-E, be immediately and temporarily suspended pursuant to Section 40 (a) of the Medical Practice Act, 63 P.S. §422.40 (a);
- c. That Respondent immediately surrender his wallet card, his 3 x 5 inch license and his wall certificate to an agent of the Bureau of Professional and Occupational Affairs immediately upon presentation of the Board's Order of Suspension in accordance with 63 P.S. §422.44;
- d. That Respondent immediately cease and desist from the practice of medicine and surgery within the Commonwealth of Pennsylvania;
- e. That within thirty days from the date of the Board's Order of Suspension, a preliminary hearing shall be held to ascertain whether a prima facie case exists to support the suspension.

Respectfully submitted,


Kathleen Klett Ryan
Prosecuting Attorney
Commonwealth of Pennsylvania
Bureau of Professional and
Occupational Affairs

DATED: 7/24/96