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FILE
February 13, 2013

**NEW JERSEY STATE BOARD
OF MEDICAL EXAMINERS**

By: Jeri L. Warhaftig
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EFFECTIVE NUNC PRO TUNC November 19, 2012

STATE OF NEW JERSEY
DEPARTMENT OF LAW AND PUBLIC SAFETY
DIVISION OF CONSUMER AFFAIRS
STATE BOARD OF MEDICAL EXAMINERS
OAL DOCKET NO. BDS 12006-10

IN THE MATTER OF THE SUSPENSION
OR REVOCATION OF THE LICENSE OF

STEVEN C. BRIGHAM, M.D.
LICENSE NO. MA05106800

TO PRACTICE MEDICINE AND
SURGERY IN THE STATE OF NEW
JERSEY

Administrative Action
PROPOSED
SECOND AMENDED COMPLAINT
(Amended by Addition of Counts
VII and VIII).

Jeffrey S. Chiesa, Attorney General of New Jersey, by Jeri L. Warhaftig, Deputy Attorney General, with offices located at 124 Halsey Street, 5th floor, Newark, New Jersey, by way of Second Amended Complaint says:

GENERAL ALLEGATIONS

1. Complainant, Attorney General of New Jersey, is charged with enforcing the laws in the State of New Jersey pursuant to N.J.S.A. 52:17A-4(h), and is empowered to initiate administrative disciplinary proceedings against persons licensed by the Board of Medical Examiners pursuant to N.J.S.A. 45:1-14 et seq.

CERTIFIED TRUE COPY

2. The New Jersey State Board of Medical Examiners is charged with the duty and responsibility of regulating the practice of medicine and surgery in the State of New Jersey pursuant to N.J.S.A. 45:9.1 et seq.

3. Respondent Steven C. Brigham, M.D. is licensed to practice medicine and surgery in the State of New Jersey, and has been a licensee at all times pertinent to this Complaint.

4. Respondent is or was engaged in the practice of medicine with a principal address of American Women's Center, 1 Alpha Avenue, Suite 20/27, Voorhees, New Jersey, 08043. Respondent also practices at American Wellness Center, 228 Main Street, Woodbridge, New Jersey and American Women's Services, 157 South Main Street, Phillipsburg, New Jersey and American Women's Services, 651 Route 37 West, Toms River, New Jersey. Respondent does not have hospital privileges at any institution in the State of New Jersey.

5. American Women's Center is also denominated as American Women's Services, American Healthcare Services, American Medical Services, Grace Medical Care and Grace Medical Services. Hereinafter, American Women's Services, refers to all of these entities and to Respondent's medical practice in New Jersey.

6. N.J.A.C. § 13:35-4.2 regulates the conduct of New Jersey licensed physicians with regard to terminations of pregnancies. After 14 weeks LMP ("last menstrual period" as defined in N.J.A.C. 13:35-4.2(d)) any termination other than a dilatation and evacuation (D&E) must be performed in a hospital. A D&E procedure performed after 14 weeks and through to 18 weeks must be performed either in a hospital or in a licensed ambulatory care facility

(LACF). N.J.A.C. 13:35-4.1(e). A physician who plans to perform D&E procedures after 18 weeks LMP and through 20 weeks LMP, in an LACF, must first file with the Board proof of compliance with certain eligibility standards set forth at N.J.A.C. 13:35-4.2(f). Physicians planning to perform D&E procedures in an LACF after 20 weeks must have prior Board permission. N.J.A.C. 13:35-4.2(g). Respondent Brigham is authorized by virtue of his New Jersey medical license to perform terminations of pregnancy by D&E only through 18 weeks, with the caveat that non-D&E terminations performed at 15 through 18 weeks LMP must be performed in a hospital and D&E terminations performed at 15 through 18 weeks LMP must be performed in a hospital or licensed ambulatory care facility.

7. American Women's Services is not reflected on the list of licensed ambulatory care facilities (LACF) displayed on the website of the New Jersey Department of Health and Senior Services. There is no licensed ambulatory care facility with an address of 1 Alpha Avenue, Voorhees, New Jersey. None of the addresses Respondent Brigham has identified as a practice address or any address associated with Respondent Brigham's New Jersey Drug Registration numbers is listed as the address of a LACF.

COUNT I

8. The General Allegations are repeated and realleged as if set forth at length herein.

9. On or about August 9, 2010, patient D.B., a pregnant 18 year old, presented at the offices of American Women's Services for the purpose of seeking a termination of pregnancy. Exhibit A,

Interview of D.B., August 18, 2010, page 6; Exhibit N, Sworn Statement of D.B., dated September 9, 2010.

10. On August 9, 2010 D.B.'s pregnancy was estimated by ultrasound to have a gestational age of 21.5 weeks. Exhibit B, Medical Record of D.B., as produced by Nicola Riley, M.D. on August 24, 2010; Exhibit C, Portions of Medical Record of D.B. as produced by Nicola Riley M.D. on August 23, 2010.

11. On August 12, 2010 D.B. underwent the insertion of seven laminaria at American Women's Services. The insertion was performed by Respondent Brigham. She was then advised to return to that same office on August 13. Exhibit A, pages 8-9; Exhibit B, fax page 24; Exhibit N.

12. On the morning of August 13, 2010, when D.B. returned to American Women's Services, Respondent Brigham administered, two tablets of Cytotec an abortive agent, also known as misoprostol. Exhibit B, fax page number 30; Exhibit A, page 8; Exhibit N.

13. Respondent Brigham was present at American Women's Services on the morning of August 13, and he directed D.B. and two other waiting patients (S.D. and N.C.) that he "was ready." Respondent then directed the three patients and the people accompanying them to get in their cars and follow a car driven by a "nurse" from Respondent's office. Exhibit A, pages 12-13; Exhibit N.

14. According to D.B., one of the two other patients also awaiting procedures on the morning of August 13, 2010, "was already (sic) to have it done" while waiting in Voorhees. Exhibit A, page 10. After the cars arrived in Elkton, Maryland, that other patient

(SD or NC) underwent an abortion prior to D.B.'s procedure. Exhibit A, page 15; Exhibit K, Information from Nicola Riley, M.D.; Exhibit H, Daily Tissue and Regulated Medical Waste Log; Exhibit N.

15. The termination of D.B.'s pregnancy was commenced by Respondent Brigham in the New Jersey offices of American Women's Services, either when the laminaria were inserted on August 12, 2010 or upon D.B.'s consumption of misoprostol on August 13, 2010. Exhibit B, fax page 10; Exhibit N.

16. D.B. received two receipts from American Healthcare Services in New Jersey. The first reflects "TWL @ 10 weeks" and a payment of \$445. The second reflects "2nd tri 21.4" and a payment of \$1,600.00. Exhibit B, fax page 29.

17. D. B. anticipated that the abortion would be completed in Philadelphia. She was unaware that the office she arrived at after following the "nurse's" car in a caravan from New Jersey was in Elkton, Maryland. Exhibit A, pages 13-14; Exhibit N.

18. Respondent and Dr. Nicola Riley undertook the completion of an abortion on D.B. in the office located at American Medical Services, PC., 126 East High Street, Elkton, Maryland, 21921-5635 which is a clinic operated by American Women's Services. Exhibit B; Exhibit C; Exhibit I, Interview of Nicola Riley, M.D. on August 24, 2010, page 8.

19. Prior to completion of the D & E segment of the abortion procedure, a complication arose. D.B. was transported to Union Hospital by car, driven and/or accompanied by Respondent Brigham and Dr. Riley. Exhibit B; Exhibit C; Exhibit I.

20. D.B. suffered a uterine perforation and small bowel injury and was ultimately airlifted to Johns Hopkins Health Center for treatment. Exhibit C; Exhibit D, Excerpts from medical record of DB, Johns Hopkins Hospital, August 13, 2010; Exhibit E, excerpts from medical record of D.B., Union Hospital, August 13, 2010.

21. The medical treatment provided by Respondent Brigham for patients identified herein constituted gross negligence in violation of N.J.S.A. 45:1-21(c); repeated acts of negligence in violation of N.J.S.A. 45:1-21(d); and repeated acts in violation of N.J.A.C. 13:35-4.2 (Termination of Pregnancy) and thus repeated violations of N.J.S.A. 45:1-21(h).

22. Respondent Brigham's conduct constitutes a clear and imminent danger to the public and warrants immediate temporary suspension of Respondent's license to practice medicine and surgery in the State of New Jersey pursuant to N.J.S.A. 45:1-22.

COUNT II

23. The allegations contained in the General Allegations and Count I are repeated and realleged as if set forth at length herein.

24. Respondent Brigham does not hold a license to practice medicine and surgery in the State of Maryland.

25. From in or about September 2009 until August 2010, Respondent Brigham performed abortions in the Elkton, Maryland offices of American Women's Services on Wednesdays and Fridays. Exhibit F, Interview of George Shepard, Jr., M.D., August 19, 2010, pages 9 and 13.

26. More specifically, during the period of time from in or about January 2010 until in or about August 2010, Respondent Brigham performed approximately 50 terminations of pregnancies in the Elkton, Maryland office of American Women's Services. Exhibit G, Interview statement of Kimberly Walker, M.D., August 23, 2010 at page 23.

27. The majority of the approximately 50 procedures observed by Dr. Walker were "second trimester cases" and about 30 percent of the procedures were "later cases" on patients beyond twenty weeks. These patients' procedures were begun by Dr. Brigham in a location other than the Elkton, Maryland clinic. Exhibit G, pages 12-13, 18-20.

28. Respondent Brigham created and/or caused to be created, medical records which falsely reflected that the procedures he performed in Elkton, Maryland were in fact performed by a licensed practitioner, Dr. George Shepard, and/or by an unlicensed medical school graduate, Dr. Kimberly Walker. Exhibit H, Daily Tissue and Regulation Waste Log and Recovery Room Log (Elkton Office).

29. Dr. George Shepard did not perform any terminations of pregnancies in the Elkton, Maryland office. Exhibit F, page 3.

30. Dr. Kimberly Walker did not perform any terminations of pregnancies or render any medical care to patients in the Elkton, Maryland Clinic. She was present as an observer. Exhibit G, page 5.

31. On or about August 25, 2010, the Maryland State Board of Physicians ordered Steven Chase Brigham, M.D. to cease and desist from the unlicensed practice of medicine. Exhibit M.

32. Respondent Brigham's conduct, as set forth herein, constitutes the unlicensed practice of medicine and thus acts constituting a crime or offense relating adversely to the practice of medicine in violation of N.J.S.A. 45:1-21(f); repeated acts of professional misconduct in violation of N.J.S.A. 45:1-21(e); the use or employment of dishonesty, fraud, deception, misrepresentation, false promise or false pretense in violation of N.J.S.A. 45:1-21(b); and the failure to maintain patient records that conform to the requirements of N.J.A.C. 13:35-6.5 and are thus a basis for disciplinary action pursuant to N.J.S.A. 45:1-21(h).

33. Respondent Brigham's conduct constitutes a clear and imminent danger to the public and warrants immediate temporary suspension of Respondent's license to practice medicine and surgery in the State of New Jersey pursuant to N.J.S.A. 45:1-22.

COUNT III

34. The allegations contained in the General Allegations and Count I and Count II are repeated and realleged as if set forth at length herein.

35. On and before August 13, 2010, patients S.D. and N.C. were treated at American Women's Services in Voorhees, New Jersey.

36. On August 13, 2010, S.D. and N.C. were transported in private vehicles from Respondent Brigham's practice in Voorhees, New Jersey to Elkton, Maryland. Exhibit A, pages 10, 12; Exhibit J, page 3.

37. Both S.D. and N.C. were pregnant and present in the waiting room at American Women's Services with patient D.B. on the morning of August 13, 2010. D.B.'s mother physically described

S.D. and N.C. respectively as an "Indian" and a "Spanish mixture." Exhibit J, statement of C.B., pages 3-4.

38. Patient S.D. was 25 weeks pregnant with twins. Exhibit H, second page; ,Exhibit O, patient record of S.D. from Grace Medical Care.

39. S.D. is a 32 year old woman who was born in India. According to her records on August 11, 2010, S.D.'s fetuses were administered digoxin to cause fetal demise. On that same day D.S. underwent the insertion of six laminaria. She was directed to return to the "Wellness Office" on August 12, 2010. Exhibit O.

40. On August 12, 2010, an ultrasound revealed an intrauterine fetal demise (IUFD) for S.D.'s fetus A but possible cardiac and fetal movement for fetus B. Digoxin was injected in fetus B, and additional laminaria inserted. The record reflects that a repeat ultrasound revealed IUFD in fetus B. Exhibit O. S.D. was directed to return to "Wellness Office" on August 13, 2010 with a notation "then to Elkton." Exhibit O.

41. Patient N.C. was 18.4 weeks pregnant. Exhibit H, second page; Exhibit P, patient record of N.C. from American Medical Associates, P.C.

42. N.C. is a 23 year old woman who was born in Mexico. N.C. underwent the insertion of laminaria on August 12, 2010. N.C.'s medical record for the insertion procedure is unsigned. An arbitration agreement in her patient record bears the signature of Richard H. Blum, M.D. Exhibit P.

43. On August 13, 2010, N.C. returned to American Women's Services and was administered Cytotec (also known as misoprostol). Exhibit P.

44. Both S.D. and N.C. underwent terminations of pregnancy. The procedures were begun by Respondent Brigham at American Women Services in New Jersey. S.D. and N.C. were then transported in a car caravan directed by Respondent Brigham to the clinic in Elkton Maryland where the procedures were completed by Dr. Riley, in Respondent Brigham's presence. Exhibit K, Information from Nicola Riley, M.D. September 1, 2010; Exhibit O, Exhibit P.

45. N.C.'s "Abortion Record" reflects Respondent Brigham's counter-signature adjoining Dr. Riley's on page 2 of that document. Exhibit P.

46. Respondent Brigham could not legally perform the termination of pregnancy procedures performed on S.D. or N.C. under New Jersey Law.

47. Respondent Brigham caused patients S.D. and N.C. to be transported out of New Jersey, after their unlawful procedures were begun. Fetal demise for both patients was "initiated" in New Jersey. Exhibit K; Exhibit I, page 23; Exhibit O; Exhibit P.

48. Respondent Brigham's treatment of S.D. and N.C. is part of a wide-scale pattern of practice whereby terminations of pregnancy that cannot be legally performed by Respondent Brigham in his New Jersey office are begun by him and/or at his direction in New Jersey and completed in Maryland. Exhibit I, Interview of Dr. Nicola Riley on August 24, 2010, pages 6-7, 12.

49. Respondent Brigham's conduct, as set forth herein, constitutes the unlicensed practice of medicine and thus acts constituting a crime or offense relating adversely to the practice of medicine in violation of N.J.S.A. 45:1-21(f); repeated acts of professional misconduct in violation of N.J.S.A. 45:1-21(e); the use or employment of dishonesty, fraud, deception, misrepresentation, false promise or false pretense in violation of N.J.S.A. 45:1-21(b); and the failure to maintain patient records that conform to the requirements of N.J.A.C. 13:35-6.5 and are thus a basis for disciplinary action pursuant to N.J.S.A. 45:1-21(h).

50. Respondent Brigham's treatment of patients S.D. and N.C. and all unidentified New Jersey patients whose terminations of pregnancies began in New Jersey and concluded out of State constitutes acts of gross and/or repeated negligence in violation of N.J.S.A. 45:1-21(c) and (d) and repeated acts in violation of N.J.A.C. 13:35-4.2 (Termination of Pregnancy) and thus repeated violations of N.J.S.A. 45:1-21(h).

51. Respondent Brigham's conduct constitutes a clear and imminent danger to the public and warrants immediate temporary suspension of Respondent's license to practice medicine and surgery in the State of New Jersey pursuant to N.J.S.A. 45:1-22.

COUNT IV

52. The allegations contained in the General Allegations and Count I, Count II and Count III are repeated and realleged as if set forth at length herein.

53. In June 2010, Respondent received a Demand for Statement in Writing Under Oath from the New Jersey State Board of Medical Examiners ("Board").

54. In correspondence dated June 30, 2010, Respondent Brigham requested an extension of time within which to submit a response to the Board's Demand. Exhibit L, letter from Steven Brigham, M.D. dated June 30, 2010.

55. In his letter, Respondent Brigham stated, "We are not performing any abortions beyond 14 weeks in New Jersey."

56. In fact, Respondent's statement in his request for an extension was false since Respondent routinely commenced abortions in the New Jersey office on patients who were beyond 14 weeks. Exhibit G, page 18; Exhibit F, pages 14-16, 21-22.

57. Respondent's letter was sent from a return address of "American Women's Services, 1 Alpha Avenue, Suite 20, Voorhees, New Jersey 08043-1049."

58. Respondent's false statements in response to the Board's Demand for Statement constitute a failure to fulfill his Duty to Cooperate with the Board pursuant to N.J.A.C. 13:45C-1.2 and thus subject him to discipline under N.J.S.A. 45:1-21(e) and (h).

59. Respondent's false response constitutes the use of dishonesty, fraud, deception, misrepresentation, false promise or false pretense in violation of N.J.S.A. 45:1-21(b).

60. Respondent's failure to deal honestly with the regulatory board responsible for his professional licensure on a subject integral to the oversight of the safety of his medical conduct constitutes a clear and imminent danger to the public and is thus

grounds for the temporary suspension of Respondent's license pursuant to N.J.S.A. 45:1-22.

COUNT V

61. The allegations contained in the General Allegations and Count I, Count II, Count III and Count IV are repeated and realleged as if set forth at length herein.

62. J.P. is a 20 year old female. Patient records for J.P. reflect that on June 9, 2010, she was approximately 24 weeks pregnant. On that day, she underwent the injection of digoxin for the purposes of causing fetal demise. She also underwent the insertion of laminaria. On June 10, 2010, J.P. returned to Respondent Brigham's office and underwent the insertion of additional laminaria. The record reflects intra-uterine fetal demise. The patient record further reflects that J.P. was to return to the office on June 11, 2010 "then to MD." Exhibit Q, patient record of J.P.

63. Just after midnight on June 11, 2010, J.P. called the offices of American Health Care Services, P.C. to report difficulty urinating. Exhibit R, letter from Respondent Brigham to Executive Director of the State Board of Medical Examiners, William V. Roeder. She was treated by Respondent Brigham in her hotel room and ultimately in Virtua West Jersey Hospital of Voorhees, New Jersey. Exhibit R, hospital record for J.P.

64. The termination of J.P.'s pregnancy was commenced by Respondent Brigham in New Jersey by the insertion of laminaria and/or the administration of digoxin.

65. Respondent Brigham intended that J.P.'s termination of pregnancy would be completed outside of New Jersey. Exhibit R, hospital records for J.P.

66. The medical treatment provided by Respondent Brigham for patient J.P. and others identified herein constituted gross negligence in violation of N.J.S.A. 45:1-21(c); repeated acts of negligence in violation of N.J.S.A. 45:1-21(d); and repeated acts in violation of N.J.A.C. 13:35-4.2 (Termination of Pregnancy) and thus repeated violations of N.J.S.A. 45:1-21(h).

67. Respondent Brigham's conduct constitutes a clear and imminent danger to the public and warrants immediate temporary suspension of Respondent's license to practice medicine and surgery in the State of New Jersey pursuant to N.J.S.A. 45:1-22.

COUNT VI

68. The allegations contained in the General Allegations and Count I, Count II, Count III, Count IV and Count V are repeated and realleged as if set forth at length herein.

69. M.L. is a 35 year old woman who underwent a termination of pregnancy while under Respondent Brigham's care. Exhibit S, patient record of M.L. from Grace Medical Care. M.L. was 33 weeks pregnant. On August 2, 2010, M.L.'s fetus was injected with digoxin to cause fetal demise and M.L. underwent the insertion of laminaria. Exhibit S. M.L. was told to return to the "Wellness Office" on August 3, 2010. On August 3, M.L. returned to the office, and an ultrasound revealed "probable IUFD" meaning intra uterine fetal demise. Additional laminaria were inserted at that visit, and M.L. was instructed to return to the "Wellness Office"

on August 4, 2010 with a notation in her record of "then to MD." Exhibit S.

70. The "Daily Tissue and Regulated Medical Waste Log for NJ" bearing the office name "Elkton" and the doctor's name "Sheppard" reflects a patient M.L. treated on August 4, 2010. M.L. was 33 weeks pregnant according to that log. Exhibit H.

71. The termination of M.L.'s pregnancy was commenced by Respondent Brigham in New Jersey by the insertion of laminaria and/or the administration of digoxin.

72. The medical treatment provided by Respondent Brigham for patient M.L. and others identified herein constituted gross negligence in violation of N.J.S.A. 45:1-21(c); repeated acts of negligence in violation of N.J.S.A. 45:1-21(d); and repeated acts in violation of N.J.A.C. 13:35-4.2 (Termination of Pregnancy) and thus repeated violations of N.J.S.A. 45:1-21(h).

73. Respondent Brigham's conduct constitutes a clear and imminent danger to the public and warrants immediate temporary suspension of Respondent's license to practice medicine and surgery in the State of New Jersey pursuant to N.J.S.A. 45:1-22.

COUNT VII

74. The allegations contained in the General Allegations and Count I through Count VI are repeated and realleged as if set forth at length herein.

75. The following chart illustrates an additional sixteen (16) patients for whom Respondent began termination of pregnancies in New Jersey by inserting laminaria, administering misoprostol and/or causing fetal demise through the injection of digoxin and

then completed the termination of pregnancy in Elkton, Maryland where he was not licensed to practice medicine:

Patient Name	Gestational Age (LMP)	Initial Visit to Brigham operated facility in New Jersey.
J.H.	20.2	7/19/2010
D.M.	24.3	2/22/2010
V.O.	17.2	7/15/2010
M.P.	19	7/20/2010
E.C-S.	15	7/22/2010
D.S.	15.2	7/15/2010
S.W.	25.3	3/1/2010
M.R.	15.4	8/5/2010
N.M.	19.4	8/5/2010
A.C.	15.5	8/10/2010
M.P.	15	7/20/2010
C.G.	16.4	8/10/2010
S.A.	16.6	8/10/2010
D.D.	16.1	8/10/2010
S.B.	19	8/10/2010
K.J.	28.2	8/4/2010

76. Respondent denoted some patients as "Grace" patients which indicated that the patients sought a late stage abortion.

77. Fetal demise for Grace patients was routinely caused and verified in New Jersey by Respondent and/or his staff working under his direction.

78. In addition to other patients alleged in the within complaint, Respondent performed terminations of pregnancy on the following "Grace" patients, which procedures commenced in New Jersey:

Patient Name	TOP Date	Number of Weeks
Kristen C.	7/23/10	31
J.A.	7/9/10	25
G.V.	7/2/10	28.3

79. Respondent was ineligible to perform the procedures set forth in paragraphs 75 and 78 under applicable New Jersey law.

80. For each of the above-referenced patients, Respondent Brigham created and/or caused to be created, medical records which were false and misleading.

81. Respondent Brigham's conduct, as set forth herein, constitutes the unlicensed practice of medicine and therefore acts constituting a crime or offense relating adversely to the practice of medicine in violation of N.J.S.A. 45:1-21(f); repeated acts of professional misconduct in violation of N.J.S.A. 45:1-21(e); the use or employment of dishonesty, fraud, deception, misrepresentation, false promise or false pretense in violation of N.J.S.A. 45:1-21(b); and the failure to maintain patient records that conform to the requirements of N.J.A.C. 13:35-6.5 and are thus a basis for disciplinary action pursuant to N.J.S.A. 45:1-21(h).

82. Respondent Brigham's treatment of the above-listed patients whose terminations of pregnancies began in New Jersey and concluded out of State constitutes acts of gross and/or repeated negligence in violation of N.J.S.A. 45:1-21(c) and (d) and repeated acts in violation of N.J.A.C. 13:35-4.2 (Termination of Pregnancy) and thus repeated violations of N.J.S.A. 45:1-21(h).

COUNT VIII

83. The allegations contained in the General Allegations and Count I through Count VII are repeated and realleged as if set forth at length herein.

84. The State of Maryland Chief Medical Examiner performed autopsies on fetal remains obtained from a freezer in Respondent's Elkton, Maryland medical office.

85. The fetal remains are identified as follows:

<u>Patient</u>	<u>Autopsy Date</u>	<u>Weeks Gestation</u>
J.H.	8/18/10	24 weeks
Vivian H.	8/17/10	26 weeks
N.S.	8/20/10	25.6 weeks
D.B.	8/18/10	23.6 weeks
J.C.	8/17/10	24 weeks

86. Fetal death for each above identified fetus was initiated by Respondent in New Jersey.

87. By initiating fetal demise in New Jersey, Respondent undertook terminations of pregnancy in violation of New Jersey law.

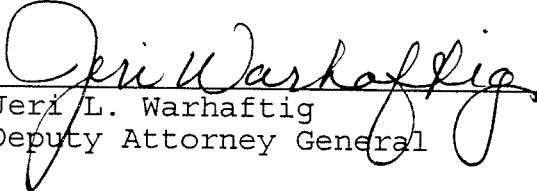
88. The medical treatment provided by Respondent Brigham for patients identified herein constituted gross negligence in violation of N.J.S.A. 45:1-21(c); repeated acts of negligence in violation of N.J.S.A. 45:1-21(d); and repeated acts in violation of N.J.A.C. 13:35-4.2 (Termination of Pregnancy) and thus repeated violations of N.J.S.A. 45:1-21(h).

WHEREFORE, Complainant demands the entry of an order against respondent as follows:

1. The suspension or revocation of Respondent's license to practice medicine and surgery in the State of New Jersey;
2. An Order directing Respondent to cease and desist the practice of medicine and surgery in the State of New Jersey;
3. Imposition of penalties for each separate offense as set forth herein;
4. Costs including investigative costs, fees for expert witnesses, and costs of trial (including transcripts); and
5. Such other relief as the Board of Medical Examiners shall deem just and appropriate.

JEFFREY S. CHIESA
ATTORNEY GENERAL OF NEW JERSEY

BY:


Jeri L. Warhaftig
Deputy Attorney General

DATED: 2/1/13