

# Jersey Acts to Lift License Of Surgeon in Curare Case

NYTimes

By M. A. FARBER MAY 22 1976

The New Jersey Board of Medical Examiners acted yesterday to suspend temporarily the license of Dr. Mario E. Jascavevich, the 48-year-old surgeon who was indicted this week on charges of murdering five patients at Riverdell Hospital in Oradell, N. J., a decade ago.

William F. Hyland, the State Attorney General, announced that the board had issued a complaint charging Dr. Jascavevich with six counts of malpractice related to the Riverdell deaths and six counts stemming from his behavior as a surgeon in a case in Jersey City in 1974 and 1975. The patient in the latter case did not die.

Dr. Jascavevich, who operated yesterday for the first time since his indictment was handed up late Tuesday, was told by the Board of Medical Examiners to show cause by next Wednesday why his license should not be temporarily lifted after a hearing on the 12 counts of malpractice.

Dr. Jascavevich was unavailable for comment on the new action, which now places him before another tribunal in complex legal-medical proceedings. But his lawyer, Ray A. Brown, said at the arraignment in Hackensack on Wednesday that his client would oppose any effort to suspend or revoke his license.

"There's only one way to fight this whole matter, and that's to fight it everywhere," Mr. Brown said.

The physician has pleaded not guilty to the murder charges, which were handed up by a grand jury after a six-month investigation by Joseph C. Woodcock Jr., the Bergen County Prosecutor. That investigation was prompted by an inquiry last fall by The New York Times into 13 "unusual or unexplained" deaths at Riverdell in 1965 and 1966.

The indictment did not affect Dr. Jascavevich's right to practice.

The physician, who was chief surgeon at Riverdell from 1963 until his resignation early in 1967, has operating privileges at Christ Hospital in Jersey City and at the Jersey City Medical Center, where he performed three hysterectomies yesterday morning.

The medical examiners' complaint, as released by Mr. Hyland, contained no detailed in-

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formation on the charges.

The six counts of malpractice relating to the deaths at Riverdell charged violations of the state's medical malpractice act, the complaint said. The six other counts, growing out of the case in Jersey City in 1974 and 1975, concerned alleged fraud in the practice of medicine, professional incompetence, gross malpractice and gross neglect in the practice of medicine that endangered health or life, the complaint said.

It is understood that the case in Jersey City involved a young man who was operated on by Dr. Jascavevich at Christ Hospital and was later also treated at Jersey City Medical Center.

Medical sources said the case had posed a number of questions, including whether Dr. Jascavevich's reported diagnosis of cancer was correct, whether reportedly cancerous tissue on which a pathological report was done actually came from the body of the patient and whether the patient had been properly cared for.

The action by the Board of Medical Examiners, which licenses physicians in New Jersey, had its genesis in Mr. Woodcock's investigation in Bergen County, where Riverdell Hospital is.

## Request to Examiners

Last January, as Mr. Woodcock's own investigation was beginning to develop, the Prosecutor asked the medical examiners to consider whether Dr. Jascavevich's license should be suspended pending the outcome of the murder investigation.

As a result of that request, the board started a wide inquiry into Dr. Jascavevich's professional activities. It was directed by Anthony LaBue, a deputy state attorney general who serves as counsel to the board, unlike the investigation by Mr. Woodcock, the board's inquiry was not confined to the suspicious deaths at Riverdell.

Mr. LaBue declined to comment last night on the results or details of the board's inquiry, but he said that under the law in New Jersey—as in most, if not all, states—Dr. Jascavevich could continue to practice until he had been given a full hearing on the charges.

Mr. LaBue said that if, following a hearing, the board decided to suspend or revoke Dr. Jascavevich's license, the surgeon could appeal to the Appellate Division of the State



Associated Press

Dr. Mario E. Jascavevich outside his home in Englewood Cliffs, N.J., on Monday. He was arrested Wednesday but was released on bail same day.

Superior Court, and, if that failed, to the New Jersey Supreme Court.

Last year, in a precedent-setting case, the State Supreme Court upheld a board decision to revoke the license of a doctor who had been indicted on a charge of illegally distributing drugs but who had not yet been tried on the criminal charge.

The examiners' action is likely, in the coming weeks, to overshadow any activity in Bergen County concerning Dr. Jascavevich's indictment on charges of murdering five patients, including a 4-year-old girl, at Riverdell. In those

cases, experts employed by the surgeon are expected to begin examining the results of pathological and chemical tests on tissues from the five bodies, which were ordered exhumed earlier this year by Mr. Woodcock.

The tests, law-enforcement sources said, showed the pre-

sence of curare in the bodies. Eighteen vials that had contained the drug, most of them empty or nearly so, had been found in Dr. Jascavevich's locker at Riverdell in 1966, but the surgeon said he had been using the drug in research on dogs in Jersey City.