

Dr. Jasclevich Will Voluntarily Surrender Medical

By M. A. FARBER

Dr. Mario E. Jasclevich, the surgeon who was indicated on May 18 on charges of murdering five patients a decade ago at Riverdell Hospital in Oradell, N. J., will voluntarily surrender his medical license on Friday.

The unexpected move by Dr. Jasclevich—an interim measure that will prevent him from practicing for a month or two—will avert any possibility that his license would have been temporarily suspended today by the New Jersey Board of Medical Examiners.

William F. Hyland, the State Attorney General, announced in Trenton yesterday that Dr. Jasclevich would not perform operations after he completed some scheduled surgery this afternoon. On Friday, Mr. Hyland said, the 48-year-old surgeon will surrender to the Board of Medical Examiners his license to practice medicine and surgery.

Whether Dr. Jasclevich will be able to resume his practice will probably depend on the outcome of a hearing in about six weeks on malpractice charges filed against him last Friday by the Board of Medical Examiners.

Anthony LaBue, a Deputy Attorney General who serves as counsel to the board, stressed that Dr. Jasclevich's action "does not constitute any admission of guilt" to the charges in the board's com-

plaint. "His surrender of the license is without prejudice," Mr. LaBue said.

The complaint filed by the board charged Dr. Jasclevich with twelve counts of malpractice—six relating to the deaths on which he was indicted by a Bergen County grand jury and six stemming from his behavior as a surgeon in a case in Jersey City in 1974 and 1975.

The latter case, in which the board has accused Dr. Jasclevich of fraud in the practice of medicine, professional incompetence and gross neglect that endangered the health or life of a patient known only by his initials "J. E.," had not been reported until it was cited in the complaint.

Dr. Jasclevich's agreement to surrender his license pending the outcome of the board's full hearing on its charges surprised some observers of his case because the surgeon's attorney,

Raymond A. Brown, had vowed recently to fight any effort to stop his client from practicing.

The surgeon, who has declined to talk to newsmen, pleaded not guilty to the homicide charges and is expected to deny the malpractice charges. Mr. Brown was unavailable for comment yesterday.

Operated Monday

Dr. Jasclevich, who continued to operate and to see patients at his West New York, N. J., office during the six-month investigation that preceded his indictment, last performed surgery on Monday at Christ Hospital in Jersey City. He also has surgical privileges at the Jersey City Medical Center.

When it issued its complaint on May 21, the Board of Medical Examiners ordered Dr. Jasclevich to show cause today why his license should not be

lifted until a full hearing on the board's charges could be held. Only after a full hearing can the board determine whether to suspend or revoke a license, and an adverse decision can be appealed to the courts by the defendant.

In exceptional cases, however, the board has sought to make a quick, if temporary, decision on allowing a physician who faces charges to continue practicing.

As a result of Dr. Jasclevich's willingness to surrender his license temporarily, the board, headed by Dr. Edwin H. Albano, agreed to dissolve its show-cause order.

It is not clear how the board will proceed at the full hearing with regard to the Riverdell deaths but it is understood that the board will not attempt to establish Dr. Jasclevich's guilt or innocence on the murder charges. The trial in Bergen

License on Friday

County which will center on whether Dr. Jasclevich used curare, a muscle relaxant, to kill patients, is not expected to begin until later this year.

The board has alleged that, in each of the deaths, Dr. Jasclevich "engaged in conduct contrary to the provisions" of New Jersey law.

Charges Detailed

In the case of "J.E." in Jersey City, the board has alleged the following:

¶ On Aug. 2, 1974, during an operation on "J.E.," Dr. Jasclevich falsely represented that the patient had a "mass in the pancreatic region."

¶ On Aug. 15, 1974, Dr. Jasclevich submitted tissue for pathological analysis that he represented was from the gall bladder bed of "J.E." "when he knew full well that the tissue had not been obtained" from the patient at all.

¶ On Aug. 15, 1974, Dr. Jasclevich received the results of the tissue analysis and "knew or should have known" that the results "did not represent accurate findings" concerning "J.E."

¶ After Aug. 16, 1974, "as a result of false information placed in the hospital report by him and/or as a result of his conduct concerning 'J.E.' " Dr. Jasclevich failed to treat "J.E." properly, causing the patient "injury, unnecessary suffering and mental anguish."

¶ On, and after, April 5, 1975, Dr. Jasclevich again operated on the patient and diagnosed his condition as "carcinoma of bile channels" when he "full well knew that such diagnosis was false and therefore entered false information in the operative records and false advised the hospital staff," again subjecting the patient to injury.