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This opinion shall not "constitute precedent or be binding upon any court."  
Although it is posted on the internet, this opinion is binding only on the  
parties in the case and its use in other cases is limited. R. 1:36-3.

SUPERIOR COURT OF NEW JERSEY  
APPELLATE DIVISION  
DOCKET NO. A-2607-15T1

IN THE MATTER OF THE PETITION  
TO RESTORE THE LICENSE OF

KENNETH ZAHL, M.D.  
LICENSE NO. MA56413

TO PRACTICE MEDICINE AND SURGERY  
IN THE STATE OF NEW JERSEY

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Argued February 6, 2018 – Decided June 19, 2018

Before Judges Fasciale and Summers.

On appeal from the State Board of Medical  
Examiners.

Kenneth Zahl, appellant, argued the cause pro  
se.

David M. Puteska, Deputy Attorney General,  
argued the cause for respondent State Board  
of Medical Examiners (Gurbir S. Grewal,  
Attorney General, attorney; Andrea M.  
Silkowitz, Assistant Attorney General, of  
counsel; David M. Puteska and Jillian  
Sauchelli, Deputy Attorneys General, on the  
brief).

PER CURIAM

Kenneth Zahl, M.D., appeals from a December 7, 2015 final  
order of the State Board of Medical Examiners (Board), denying his

request to vacate prior Board orders in 2003 and 2009 revoking his license to practice medicine. We affirm.

The Board's order sets forth the relevant factual background that need not be repeated here. A brief summary is sufficient. This matter is a continuum of the exhaustive litigation involving Zahl's medical license dating back to 1999, when the Attorney General filed a complaint with the Board to revoke his license.

In an April 3, 2002 decision, the Board adopted the decision of the Administrative Law Judge to revoke Zahl's license to practice medicine due to a pattern of dishonest billing practices. In re Suspension or Revocation of the License Issued to Kenneth Zahl, M.D., A-4177-02, slip op. at 7-8 (June 9, 2005). After we reversed the Board's decision, our Supreme Court reversed and upheld the Board's revocation of Zahl's license. In re Suspension or Revocation of the License Issued to Kenneth Zahl, M.D., 186 N.J. 341, 344 (2006) (Zahl I). Prior to the Court's decision, Zahl had obtained a stay of the Board's revocation of his license. Concerns over Zahl's conduct persisted, which resulted in a second proceeding before the Board to revoke his license because he continued to engage in dishonest billing practices and failed to comply with a billing monitoring practice imposed by the Board during the stay. Consequently, on March 11, 2009, the Board revoked his license for a second time, which we affirmed in In re

Suspension Or Revocation of the License Issued To: Kenneth Zahl,  
A-4109-08 (App. Div. July 30, 2010) (Zahl II).

Over six years later, seeking to resume his practice, Zahl petitioned the Board to vacate the prior licensure revocation orders affirmed in Zahl I and Zahl II. The Board denied his petition without oral argument, and issued a written decision reasoning that under res judicata his challenge to those orders cannot be relitigated as they had been previously rejected in Zahl I and Zahl II and that he failed to raise any new substantial issues, and that his time to appeal those orders had expired long ago. The Board nonetheless indicated Zahl still had the right to apply for reinstatement of his license. N.J.S.A. 45:1-7.1(d).

Before us, Zahl reiterates the arguments the Board rejected. Based upon our review of the record and applicable law, his arguments are without sufficient merit to warrant discussion in a written opinion, R. 2:11-3(e)(1)(E), and we affirm substantially for the reasons set forth by the Board in its well-reasoned decision.

Affirmed.

I hereby certify that the foregoing  
is a true copy of the original on  
file in my office.

  
CLERK OF THE APPELLATE DIVISION