

**NEW YORK**  
state department of  
**HEALTH**

Public

Nirav R. Shah, M.D., M.P.H.  
Commissioner

Sue Kelly  
Executive Deputy Commissioner

November 14, 2012

***CERTIFIED MAIL-RETURN RECEIPT REQUESTED***

Donald B. Bletz, M.D.  
2400 Spanish River Road, #2  
Boca Raton, FL 33432

RE: License No. 095293

Dear Dr. Bletz:

Enclosed is a copy of the New York State Board for Professional Medical Conduct (BPMC) Order No. 12-250. This Order and any penalty provided therein goes into effect November 21, 2012.

If the penalty imposed by the Order is a fine, please write the check payable to the New York State Department of Health. Noting the BPMC Order number on your remittance will assist in proper crediting. Payments should be directed to the following address:

Bureau of Accounts Management  
New York State Department of Health  
Corning Tower, Room 2784  
Empire State Plaza  
Albany, New York 12237

Please direct any questions to: Board for Professional Medical Conduct, 90 Church Street, 4th Floor, New York, NY 10007-2919, telephone # 212-417-4445.

Sincerely,

REDACTED

Katherine A. Hawkins, M.D., J.D.  
Executive Secretary  
Board for Professional Medical Conduct

cc: Amy T. Kulb, Esq.  
Jackson, Goldberg & Kulb, LLP  
585 Stewart Avenue, Suite 720  
Garden City, NY 11530

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IN THE MATTER  
OF  
DONALD B. BLETZ, M.D.

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CONSENT  
ORDER

Upon the application of DONALD B. BLETZ, M.D. (Respondent), in the attached Consent Agreement, which is made a part of this Consent Order, it is

ORDERED, that the Consent Agreement, and its terms, are adopted and it is further

ORDERED, that this Consent Order shall be effective upon issuance by the Board, either by mailing of a copy of this Consent Order, either by first class mail to Respondent at the address in the attached Consent Agreement or by certified mail to Respondent's attorney, or upon facsimile or email transmission to Respondent or Respondent's attorney, whichever is first.

SO ORDERED.

DATE: 11/11/2012

REDACTED

Carmela Torrelli  
Vice Chair  
State Board for Professional  
Medical Conduct

STATE OF NEW YORK: DEPARTMENT OF HEALTH  
STATE BOARD FOR PROFESSIONAL MEDICAL CONDUCT

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IN THE MATTER

CONSENT

OF

AGREEMENT

**DONALD B. BLETZ, M.D.**  
**CO-12-04-1773-A**

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**DONALD B. BLETZ, M.D.**, (Respondent), representing that all of the following statements are true, deposes and says:

That on or about September 21, 1965, I was licensed to practice medicine in the State of New York and issued license number 095293 by the New York State Education Department.

My current address is 2400 Spanish River Road #2, Boca Raton, Florida 33432 , and I will advise the Director (Director) of the Office of Professional Medical Conduct (OPMC) of any change of my address within thirty (30) days, thereof.

I understand that the New York State Board for Professional Medical Conduct (Board) has charged me with one (1) Specification of professional misconduct.

A copy of the Statement of Charges, marked as Exhibit A, is attached to and part of this Consent Agreement.

I do not contest the one (1) Specification, and I agree to the following sanctions:

Respondent shall pay a \$500.00 fine, to be paid within ninety (90) days of the effective date of the Consent Order to the NYS Department of Health, Bureau of Accounts Management, Revenue Unit, Empire State Plaza, Corning Tower, Room 2784, Albany, NY 12237-0016.

I will never activate my registration to practice medicine as a physician in New York state. [Limitation on registration or issuance of any further license pursuant to Public Health Law Section 230-a(6)].

I stipulate that my failure to comply with any conditions of the Consent Order shall constitute misconduct as defined by New York Education Law § 6530(29).

I agree that, if I am charged with professional misconduct in future, this Consent Agreement and the Consent Order shall be admitted into evidence in that proceeding.

I ask the Board to adopt this Consent Agreement.

I understand that if the Board does not adopt this Consent Agreement, none of its terms shall bind me or constitute an admission of any of the acts of alleged misconduct; this Consent Agreement shall not be used against me in any way and shall be kept in strict confidence; and the Board's denial shall be without prejudice to the pending disciplinary proceeding and the Board's final determination pursuant to New York Public Health Law.

I agree that, if the Board adopts this Consent Agreement, the Chair of the Board shall issue a Consent Order in accordance with its terms. I agree that the Consent Order shall take effect upon its issuance by the Board, either by mailing of a copy of the Consent Order by first class mail to me at the address in this Consent Agreement, or to my attorney by certified mail, or upon facsimile or email transmission to me or my attorney, whichever is first. The Consent Order, this Consent Agreement, and all attached Exhibits shall be public documents, with only patient identities, if any, redacted. As public documents, they may be posted on the Department of Health website.

I stipulate that the proposed sanction and Consent Order are authorized by New York Public Health Law §§ 230 and 230-a, and that the Board and OPMC have the requisite powers to carry out all included terms. I ask the Board to adopt this Consent Agreement of my own free will and not under duress, compulsion or restraint. In consideration of the value to me of the Board's adoption of this Consent Agreement, allowing me to resolve this matter without the various risks and burdens of a hearing on the merits, I knowingly waive my right to contest the Consent Order for which I apply, administratively and/or judicially, I agree to be bound by the Consent Order, and I ask that the Board adopt this Consent Agreement.

I understand and agree that the attorney for the Department, the Director, OPMC, and the Chair of the Board each retain complete discretion either to enter into the proposed Consent Agreement and Consent Order, based upon my application, or to decline to do so. I further understand and agree that no prior or separate written or oral communication can limit that discretion.

AFFIRMED:

DATED: 10/25/12

REDACTED

DONALD B. BLETZ, M.D.  
Respondent

The undersigned agree to Respondent's attached Consent Agreement and to its proposed penalty, terms and conditions.

DATE: 11/1/12

REDACTED

AMY T. KULB, Esq.  
Counsel for Respondent

DATE: 11/5/12

REDACTED

MICHAEL G. BASS  
Assistant Counsel  
Bureau of Professional Medical Conduct

DATE: Nov 8, 2012

REDACTED

KEITH W. SERVIS  
Director  
Office of Professional Medical Conduct

**EXHIBIT A**

**IN THE MATTER**  
**OF**  
**DONALD B. BLETZ, M.D.**  
**CO-12-04-1773-A**

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**STATEMENT**  
**OF**  
**CHARGES**

**DONALD B. BLETZ, M.D.**, Respondent, was authorized to practice medicine in New York state on September 21, 1965, by the issuance of license number 095293 by the New York State Education Department.

**FACTUAL ALLEGATIONS**

A. On or about November 10, 2011, the State of Florida, Department of Health, in an ORDER OF EMERGENCY SUSPENSION OF LICENSE, ORDERED that Respondent's license to practice medicine be suspended immediately. In a SETTLEMENT AGREEMENT dated March 15, 2012 (hereinafter "Florida Order"), the State of Florida, Department of Health, *inter alia*, Reprimanded Respondent, fined Respondent \$15,000, required Respondent to attend ten (10) hours of Continuing Medical Education regarding the appropriate prescription of controlled substances, and permanently restricted Respondent from practicing in, owning or operating a pain management clinic in the State of Florida and from prescribing controlled substances listed in Schedules II-III of Section 893.03, Florida Statutes. In an ORDER dated June 13, 2012, The State of Florida, Board of Medicine, increased the aforementioned fine to \$40,000. In the STIPULATED CONCLUSIONS OF LAW in the Florida Order, Respondent admitted that the facts alleged in the Administrative Complaint, if proven, would constitute violations of Chapter 458, Florida Statutes, as alleged in the Administrative Complaint. The Administrative Complaint alleged, *inter alia*, that Respondent failed to keep adequate medical records with multiple patients, failed to perform examinations of one or more patients that were specific to pain management, prescribed lethal or dangerous doses to patients who were testing negative for opioids, prescribed high doses of immediate release formulations of oxycodone to one or more of his patients with inadequate medical justification, and failed to document the presence of one or more recognized medical indication for the use of a controlled substance.

B. The conduct resulting in the Florida disciplinary action against Respondent would constitute misconduct under the laws of New York State, pursuant to the following sections of New York State law:

1. New York Education Law Sec. 6530(3) (negligence on more than one occasion) and/or;
2. New York Education Law Sec. 6530(4) (gross negligence) and/or;
3. New York Education Law Sec. 6530(32) (failure to maintain a record).

**SPECIFICATION**

Respondent violated New York Education Law Sec. 6530(9)(d) by having disciplinary action taken by a duly authorized professional disciplinary agency of another state, where the conduct resulting in the disciplinary action would, if committed in New York state, constitute professional misconduct under the laws of New York state, in that Petitioner charges:

1. The facts in Paragraphs A and B.

DATED: *August 22*, 2012  
Albany, New York

REDACTED  
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PETER D. VAN BUREN  
Deputy Counsel  
Bureau of Professional Medical Conduct