

NEW YORK
state department of
HEALTH

PUBLIC

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

Sue Kelly
Executive Deputy Commissioner

March 30, 2012

CERTIFIED MAIL-RETURN RECEIPT REQUESTED

Karl Steven Buekers, M.D.

ADDRESS REDACTED

Re: License No. 223106

Dear Dr. Buekers:

Enclosed is a copy of the New York State Board for Professional Medical Conduct (BPMC) Order No. 12-58. This order and any penalty provided therein goes into effect April 6, 2012.

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

Enclosure

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

IN THE MATTER
OF
KARL STEVEN BUEKERS, M.D.
CO-11-01-0475-A

CONSENT
ORDER

BPMC: 12-58

Upon the application of **KARL STEVEN BUEKERS, M.D.** in the attached Consent Agreement and Order, 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 transmission to Respondent or Respondent's attorney, whichever is first.

SO ORDERED.

DATE: 03/29/2012

REDACTED

KENDRICK A. SEARS, M.D.
Chair
State Board for Professional Medical Conduct

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

IN THE MATTER
OF
KARL STEVEN BUEKERS, M.D.
CO-11-01-0475-A

CONSENT
AGREEMENT
AND
ORDER

KARL STEVEN BUEKERS, M.D., represents that all of the following statements are true, deposes and says:

That on or about October 23, 2001, I was licensed to practice as a physician in the State of New York, and issued License No. 223106 by the New York State Education Department.

My current address is **ADDRESS REDACTED** and I will advise the Director of the Office of Professional Medical Conduct of any change of address.

I understand that the New York State Board for Professional Medical Conduct (Board) has charged me with two (2) Specifications of professional misconduct.

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

In full settlement of the charges, I do not contest the two (2) Specifications and:

I agree I shall be precluded from any future registration or issuance of a medical license in New York State. [Limitation on registration or issuance of any further license pursuant to Public Health Section 230-a(6)].

I stipulate that my failure to comply with any conditions of this Consent Order shall constitute misconduct as defined by N.Y. Educ. Law § 6530(29).

I agree that, if I am charged with professional misconduct in future, this Consent Agreement and 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 N.Y. Pub. 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 this 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 transmission to me or my attorney, whichever is first. The Consent Order, this 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's website.

I stipulate that the proposed sanction and Consent Order are authorized by N.Y. Pub. 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, whether administratively 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 of OPMC and the Chair of the Board each retain complete discretion either to enter into the proposed 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.

DATE 3/20/12

REDACTED

KARL STEVEN BUEKERS, M.D.
RESPONDENT

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

DATE: 3/22/12

REDACTED

MICHAEL G. BASS, ESQ.
Assistant Counsel
Bureau of Professional Medical Conduct

DATE: March 28, 2012

REDACTED

KEITH W. SERVIS
Director
Office of Professional Medical Conduct

EXHIBIT A

IN THE MATTER
OF
KARL STEVEN BUEKERS, M.D.
CO-11-01-0475-A

STATEMENT
OF
CHARGES

KARL STEVEN BUEKERS, M.D., Respondent, was authorized to practice medicine in New York state on October 23, 2001, by the issuance of license number 223106 by the New York State Education Department.

FACTUAL ALLEGATIONS

A. On or about January 14, 2011, the Medical Board of California (hereinafter "California Board"), in a STIPULATED SETTLEMENT AND DISCIPLINARY ORDER (hereinafter "California Order"), revoked Respondent's Physician's and Surgeon's Certificate, but stayed the revocation and placed Respondent on probation for thirty-five (35) months. The terms and conditions of Respondent's probation included, inter alia, requirements that Respondent complete courses in prescribing practices and medical record keeping and prohibited Respondent from engaging in internet prescribing without a prior good faith medical examination. In the Culpability section of the California Order, Respondent admitted the truth of each and every charge and allegation in Accusation No. 23-2009-19872. Accusation No. 23-2009-198722 alleged that on three (3) separate occasions, Respondent prescribed drugs without an appropriate prior medical examination and/or medical indication over the internet.

B. The conduct resulting in the California Board 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(5) (incompetence on more than one occasion) and/or;
4. New York Education Law Sec. 6530(6) (gross incompetence).

SPECIFICATIONS
FIRST SPECIFICATION

Respondent violated New York Education Law §6530(9)(b) by having been found guilty of improper professional misconduct by a duly authorized professional disciplinary agency of another state where the conduct upon which the finding was based 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.

SECOND SPECIFICATION

Respondent violated New York Education Law §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:

2. The facts in Paragraphs A and B.

DATED: *February 16*, 2012
Albany, New York

REDACTED

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