

**These charges are only allegations which  
may be contested by the licensee in an  
Administrative hearing.**

IN THE MATTER  
OF  
GEORGE ARMANDO PONCE, M.D.

STATEMENT  
OF  
CHARGES

GEORGE ARMANDO PONCE, M.D., the Respondent, was authorized to practice medicine in New York State on or about January 10, 1990, by the issuance of license number 181229 by the New York State Education Department.

**FACTUAL ALLEGATIONS**

A. On or about January 29, 2014, the Medical Board of California ("Board") issued a Decision and Order, based on a Stipulated Settlement and Disciplinary Order agreed to by Respondent on or about October 21, 2013. Pursuant to the terms of the Stipulated Settlement and Disciplinary Order, Respondent did not contest the charges and allegations in the associated First Amended Accusation No. 09-2009-198563.

B. The charges in First Amended Accusation No. 09-2009-198563, in relevant part, resulted from two misdemeanor criminal convictions, both in Riverside County, California, as the result of a guilty plea by Respondent. The first conviction occurred on or about October 30, 2009, of one misdemeanor count of driving under the influence of an alcoholic beverage, and of one misdemeanor count of driving a vehicle while having a blood alcohol content of 0.08% or more. The second conviction

occurred on or about November 29, 2012, of one misdemeanor count of driving a vehicle while having a blood alcohol content of 0.08% or more. The Board ordered stayed revocation of Respondent's license and placed him on probation for a period of five years subject to requirements for education in ethics, abstention from the use of alcohol, biological fluid testing, psychotherapy, psychiatric evaluation, psychotherapy, notification, and other requirements.

C. The conduct resulting in the Board's Decision and Order against Respondent would constitute misconduct under the laws of New York State pursuant to New York Education Law Section 6530(9)(a) (conviction of a crime).

D. On or about October 30, 2009, in the Superior Court of California, County of Riverside, Respondent pled guilty to one misdemeanor count of driving under the influence of an alcoholic beverage, and of one misdemeanor count of driving a vehicle while having a blood alcohol content of 0.08% or more. Respondent's sentence included three year's probation subject to conditions, imprisonment for a period of six days, payment of fines and penalties, and completion of a drinking driver program.

E. On or about November 29, 2012, in the Superior Court of California, County of Riverside, Respondent pled guilty to one misdemeanor count of driving a vehicle while having a blood alcohol content of 0.08% or more. Respondent's sentence included four year's probation subject to conditions, imprisonment for a period of forty days, payment of fines and penalties, completion of a drinking driver program, and other conditions.

F. Each of the convictions for driving a vehicle while having a blood alcohol content of 0.08% or more were for a crime which, had it been committed in New York, would have been a crime pursuant to § 1192(2) of the Vehicle and Traffic Law (operation of a motor vehicle with greater than 0.08% blood alcohol content).

**SPECIFICATION OF CHARGES**

**FIRST SPECIFICATION**

**HAVING HAD DISCIPLINARY ACTION TAKEN**

Respondent is charged with committing professional misconduct as defined in N.Y. Educ. Law § 6530(9)(d) by having his or her license to practice medicine revoked, suspended or having other disciplinary action taken, or having his or her application for a license refused, revoked or suspended or having voluntarily or otherwise surrendered his or her license after a disciplinary action was instituted by a duly authorized professional disciplinary agency of another state, where the conduct resulting in the revocation, suspension or other disciplinary action involving the license or refusal, revocation or suspension of an application for a license or the surrender of the license would, if committed in New York state, constitute professional misconduct under the laws of New York state (namely N.Y. Educ. Law § 6530(9)(a)) as alleged in the facts of the following:

1. The facts in Paragraphs A, B, C and F.

**SECOND AND THIRD SPECIFICATIONS**  
**CRIMINAL CONVICTION (Other Jurisdiction)**

Respondent is charged with committing professional misconduct as defined in N.Y. Educ. Law § 6530(9)(a)(iii) by having been convicted of committing an act constituting a crime under the law of another jurisdiction and which, if committed within this state, would have constituted a crime under New York state law (namely N.Y. Penal Law § XX ) as alleged in the facts of the following:

2. The facts in Paragraphs D and F.
3. The facts in Paragraphs E and F.

DATE: December 15, 2015  
Albany, New York



MICHAEL A. HISER, ESQ.  
Deputy Counsel  
Bureau of Professional Medical Conduct