



# Department of Health

ANDREW M. CUOMO  
Governor

HOWARD A. ZUCKER, M.D., J.D.  
Commissioner

SALLY DRESLIN, M.S., R.N.  
Executive Deputy Commissioner

October 14, 2015

**CERTIFIED MAIL - RETURN RECEIPT REQUESTED**

William Keniry, Esq. &  
Brian M. Quinn, Esq.  
Tabner, Ryan & Keniry, LLP  
18 Corporate Woods Boulevard  
Suite 8  
Albany, New York 12211

Meghan E. Willock, R.P.A.  


Paul Tsui, Esq.  
NYS Department of Health  
ESP-Coming Tower-Room 2512  
Albany, New York 12237

**RE: In the Matter of Meghan Willock, R.P.A.**

Dear Parties:

Enclosed please find the Determination and Order (No.15-240) of the Hearing Committee in the above referenced matter. This Determination and Order shall be deemed effective upon the receipt or seven (7) days after mailing by certified mail as per the provisions of §230, subdivision 10, paragraph (h) of the New York State Public Health Law.

As prescribed by the New York State Public Health Law §230, subdivision 10, paragraph (i), (McKinney Supp. 2015) and §230-c subdivisions 1 through 5, (McKinney Supp. 2015), "the determination of a committee on professional medical conduct may be reviewed by the Administrative Review Board for professional medical conduct." Either the Respondent or the Department may seek a review of a committee determination.

All notices of review must be served, by certified mail, upon the Administrative Review Board and the adverse party within fourteen (14) days of service and receipt of the enclosed Determination and Order.

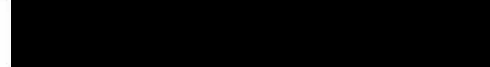
The notice of review served on the Administrative Review Board should be forwarded to:

James F. Horan, Esq., Chief Administrative Law Judge  
New York State Department of Health  
Bureau of Adjudication  
Riverview Center  
150 Broadway – Suite 510  
Albany, New York 12204

The parties shall have 30 days from the notice of appeal in which to file their briefs to the Administrative Review Board. Six copies of all papers must also be sent to the attention of Mr. Horan at the above address and one copy to the other party. The stipulated record in this matter shall consist of the official hearing transcript(s) and all documents in evidence.

Parties will be notified by mail of the Administrative Review Board's Determination and Order.

Sincerely,

A solid black rectangular redaction box covering the signature of James F. Horan.

James F. Horan  
Chief Administrative Law Judge  
Bureau of Adjudication

JFH:cah

Enclosure

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

IN THE MATTER  
OF  
MEGHAN WILOCK, R.P.A.,  
Respondent

DETERMINATION  
AND  
ORDER

BPMC #15-240  
COPY

A hearing was held on August 19, 2015 at the offices of the New York State Department of Health ("the Petitioner"). Kendrick Sears, M.D., Chair, Jose David, M.D., and Paul Lambiase, duly designated members of the State Board for Professional Medical Conduct, served as the Hearing Committee in this matter. Dawn MacKillop-Soller, Esq. served as the Administrative Law Judge. The citations in brackets refer to transcript page numbers ["T."] and exhibits ["Ex."] that were accepted into evidence.

The Petitioner appeared by Paul Tsui, Esq., of counsel to James E. Dering, Esq., General Counsel. A Notice of Referral Proceeding and Statement of Charges, both dated June 11, 2015, were served upon Meghan Wilock, R.P.A. ("Respondent").<sup>1</sup> Respondent appeared at the hearing represented by attorneys Brian M. Quinn, Esq. and William J. Keniry, Esq. Evidence was received and a transcript of the proceeding was made. After consideration of the entire record, the Hearing Committee issues this Determination and Order, finding Respondent guilty of professional

<sup>1</sup> At the hearing, pursuant to the Petitioner's offer of an Affidavit of Service confirming personal service of the Notice of Referral Proceeding and Statement of Charges on Respondent on June 26, 2015, jurisdiction was established. The document was made part of the record. [Ex. 2].

misconduct such that the penalty of a Censure and Reprimand and probation with conditions are appropriate.

### STATEMENT OF THE CASE

This proceeding was commenced pursuant to Public Health Law § 230(10)(p), which provides for a hearing with circumscribed issues when a licensee is charged solely with a violation of Education Law § 6530(9). In such cases, a licensee is charged with misconduct based upon a federal criminal conviction, or a conviction in New York State, or a conviction in another state where the conduct would constitute a crime in New York State, or upon an administrative adjudication of misconduct in another state regarding conduct that would amount to professional misconduct if committed in New York State.

Respondent is charged with professional misconduct pursuant to Education Law § 6530(9)(a)(i), having been convicted of committing an act constituting a crime under New York State Law. This case is based on Respondent's guilty plea in the state of New York to the misdemeanor crime of Driving While Intoxicated ("DWI"), in violation of Vehicle & Traffic Law ("VTL") § 1192(3). At the hearing, Respondent conceded committing an act constituting a crime in New York resulting in the misdemeanor conviction but requested leniency from the panel with regard to the penalty, if any, to be imposed. The scope of the hearing did not include re-litigation of the underlying criminal conviction and was limited to a determination of the nature and severity of the penalty.

Copies of the Notice of Referral Proceeding and the Statement of Charges are attached to this Determination and Order as Appendix 1. The Department's exhibits numbered 1-4 and 6-10 were received into evidence, as were Respondent's exhibits marked A-G. Respondent, Karen Beetle, L.M.H.C., Nicholas Willock, and Julie Pilitsis, M.D., Ph.D. testified on behalf of Respondent's case.

## FINDINGS OF FACT

The following Findings of Fact were made after a review of the entire record in this matter. Conflicting evidence, if any, was considered and rejected in favor of the cited evidence. All Hearing Committee findings were unanimous.

1. Respondent, was licensed as a physician assistant in New York State on October 5, 2011 through the issuance of license number 015198 by the New York State Education Department. [Ex. 3]

2. On September 18, 2014, Respondent was convicted in Guilderland Town Court, Criminal Part, following her plea of guilty to DWI, a misdemeanor, in violation of VTL § 1192(3). [Ex. 4, T. 109,110,129]

3. Sentencing on the misdemeanor charge occurred on November 20, 2014 and included a three-year probationary term, \$500.00 fine, a \$400.00 surcharge, a six-month driver's license suspension, and installation of an Ignition Intoxalock device into Respondent's vehicle. [Ex. 4, B, T. 115,116,118,157,158,166]

4. On a separate charge, Respondent was convicted on April 30, 2014 in Colonie Town Court, Criminal Part, after she pled guilty to Driving While Ability Impaired (DWAI), a violation, in violation of VTL § 1192(1). [T. 112] The sentence included the Drinking Driving Program and the Victim Impact Panel. [Ex. 6, T. 110,112]

## HEARING COMMITTEE DETERMINATION

Since the specification charged Respondent violated Education Law § 6530(9)(a)(i) by having been convicted of committing an act constituting a crime under New York State law and Respondent admitted to the misdemeanor conviction in her Answer and at the hearing, the Hearing Committee unanimously sustained it. [Ex. E, T. 109,110,129]

In turning to the assessment of a penalty, the Hearing Committee considered that Respondent pled guilty to a DWAI offense less than three months prior to the criminal conviction that forms the basis of the misconduct charge here. [Ex. 6, T. 112] Unpersuasive to the Hearing Committee was Respondent's testimony that stress management issues, as opposed to alcohol-use problems, were completely responsible for the two arrests. [T. 124,152] Although Respondent has undergone regular counseling since the second arrest with licensed mental health counselor Karen Beetle, the sessions have been geared towards handling stress, as opposed to ruling-out an alcohol problem. [T. 35,36,37,40,51,73,75]

Ms. Beetle testified that in her professional opinion, the two arrests were not related to any problems associated with alcohol. [T. 56,62,65,66,69,73,75] She based this opinion on Respondent's on-going therapy sessions, which have never included an assessment or evaluation to rule out alcoholism or alcohol-use problems. [T. 73,75] Also, Ms. Beetle admitted to not utilizing the applicable Diagnostic and Statistical Manual of Mental Disorders (DSM) or any type of standard to rule-out alcoholism or alcohol dependency. [T. 72, 75] Overall, the Hearing Committee found that although Ms. Beetle may be helping Respondent manage stress more effectively, she lacked an understanding of how alcohol problems are recognized or diagnosed.

Similarly to the testimony of Ms. Beetle, the Hearing Committee found that the testimony of Respondent's husband, Nicholas Wilock, and her supervisor, Julie Pilitsus, M.D., failed to take into

account the importance of ruling out the existence of an alcohol problem in the face of two drinking and driving arrests. Despite the lack of therapy to address whether alcohol issues exist, both witnesses testified that additional oversight or monitoring is not necessary since Respondent does not have any problems related to alcohol. [T. 17, 26,27,172,173,175,176] Along these lines, Mr. Wilock testified that his wife has already faced sufficient "consequences" of the two alcohol-related incidents through the criminal courts and Dr. Pilitsus testified to her belief in accepting people who make mistakes so long as they are "mending their errors and they get treatment and therapy". [T. 26,173,174] The Hearing Committee was not convinced that the lack of any type of evaluation or therapy to eliminate the possibility of alcohol abuse was sufficient. Although Respondent has faced consequences from the criminal convictions including, but not limited to, fines and probationary terms, she has not taken any steps to make certain that her actions resulting in the arrests were not connected to difficulties managing alcohol.

The Hearing Committee concluded that Respondent should be given a Censure and Reprimand and be placed on probation for a period of two years. The Terms of Probation are included in Appendix 2. Conditions of the probation will include requirements that the Respondent enter into a contract with the Committee for Physician Health ("CPH"), that the Respondent comply with the terms of the contract, and that the Respondent give written authorization to CPH to provide the Director of the Office of Professional Medical Conduct ("OPMC") with all information or documentation requested by the Director to determine whether Respondent is in compliance with the contract and this Order. The Hearing Committee determined that probation is necessary to insure that the Respondent enters into a contract with CPH and complies with CPH recommendations.


**ORDER**

IT IS HEREBY ORDERED THAT:

1. The specification of professional misconduct, as set forth in the Statement of Charges (Appendix 1), is SUSTAINED; and
2. Respondent shall be subject to a Censure and Reprimand and probation for a period of two years (Appendix 2). The requirements of probation include entering into a contract with the Committee for Physician Health ("CPH"), completion of any terms of the contract, that the Respondent give written authorization to CPH to provide the Director of the Office of Professional Medical Conduct ("OPMC") with all information or documentation requested by the Director to determine whether Respondent is in compliance with the contract and this Order; and
3. Respondent must comply with all the Terms of Probation attached to this Determination and Order; and
4. This Order shall be effective upon service on the Respondent in accordance with the requirements of Public Health Law Section 230(10)(h).

**DATED:** Albany, New York

October 13, 2015


  
Kendrick Sears, MD, Chair

Jose David, M.D.  
Paul Lambiase



To:

Tabner, Ryan & Keniry, LLP  
Attn: William Keniry, Esq. and Brian M. Quinn, Esq.  
18 Corporate Woods Boulevard, Ste. 8  
Albany, New York 12211

Meghan E. Wilock, R.P.A.  


Paul Tsui, Esq., Attorney for Petitioner  
Associate Counsel  
New York State Department of Health  
Bureau of Professional Medical Conduct  
Corning Tower, Room 2512  
Empire State Plaza  
Albany, New York 12237

*APPENDIX 1*

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

IN THE MATTER  
OF  
MEGHAN E. WILOCK, R.P.A.

NOTICE OF  
REFERRAL  
PROCEEDING

TO: Meghan E. Wilock, R.P.A.

[REDACTED]

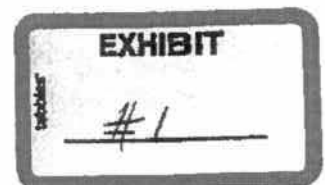
Brian M. Quinn, Esq.  
Tabner, Ryan and Keniry, L.L.P.  
18 Corporate Woods Boulevard, Ste. 8  
Albany, New York 12211

PLEASE TAKE NOTICE THAT:

An adjudicatory proceeding will be held pursuant to the provisions of N.Y. Pub. Health Law §§230(10)(p) and N.Y. State Admin. Proc. Act §§301-307 and 401. The proceeding will be conducted before a committee on professional conduct of the State Board for Professional Medical Conduct (Committee) on the 19th day of August, 2015, at 10:30 a.m., at the offices of the New York State Department of Health, Riverview Center, 150 Broadway, Suite 355, Albany, New York 12204-2719.

At the proceeding, evidence will be received concerning the allegations set forth in the Statement of Charges, which is attached. A stenographic record of the proceeding will be made and the witnesses at the proceeding will be sworn and examined.

You may appear in person at the proceeding and may be represented by counsel who shall be an attorney admitted to practice in New York state. You may produce evidence or sworn testimony on your behalf. Such evidence or sworn testimony shall be



strictly limited to evidence and testimony relating to the nature and severity of the penalty to be imposed upon the licensee. Where the charges are based on the conviction of state law crimes in other jurisdictions, evidence may be offered which would show that the conviction would not be a crime in New York State. The Committee also may limit the number of witnesses whose testimony will be received, as well as the length of time any witness will be permitted to testify.

If you intend to present sworn testimony, the number of witnesses and an estimate of the time necessary for their direct examination must be submitted to the New York State Department of Health, Division of Legal Affairs, Bureau of Adjudication, Riverview Center, 150 Broadway - Suite 510, Albany, NY 12204-2719, ATTENTION: HON. JAMES HORAN, DIRECTOR, BUREAU OF ADJUDICATION (Telephone: (518-402-0748), (henceforth "Bureau of Adjudication") as well as the Department of Health attorney indicated below, no later than twenty days prior to the scheduled date of the Referral Proceeding, as indicated above.

Pursuant to the provisions of N.Y. Pub. Health Law §230(10)(p), you shall file a written answer to each of the charges and allegations in the Statement of Charges not less than ten days prior to the date of the hearing. Any charge or allegation not so answered shall be deemed admitted. You may wish to seek the advice of counsel prior to filing such answer. The answer shall be filed with the Bureau of Adjudication, at the address indicated above, and a copy shall be forwarded to the attorney for the Department of Health whose name appears below. You may file a written brief and affidavits with the Committee. Six copies of all papers you submit must be filed with the Bureau of Adjudication at the address indicated above, no later than fourteen days prior to the scheduled date of the Referral

Proceeding, and a copy of all papers must be served on the same date on the Department of Health attorney indicated below. Pursuant to §301(5) of the State Administrative Procedure Act, the Department, upon reasonable notice, will provide at no charge a qualified interpreter of the deaf to interpret the proceedings to, and the testimony of, any deaf person. Pursuant to the terms of N.Y. State Admin. Proc. Act §401 and 10 N.Y.C.R.R. §51.8(b), the Petitioner hereby demands disclosure of the evidence that the Respondent intends to introduce at the hearing, including the names of witnesses, a list of and copies of documentary evidence and a description of physical or other evidence which cannot be photocopied.

**YOU ARE HEREBY ADVISED THAT THE ATTACHED CHARGES WILL BE MADE PUBLIC FIVE BUSINESS DAYS AFTER THEY ARE SERVED.**


Department attorney: Initial here           

The proceeding may be held whether or not you appear. Please note that requests for adjournments must be made in writing to the Bureau of Adjudication, at the address indicated above, with a copy of the request to the attorney for the Department of Health, whose name appears below, at least five days prior to the scheduled date of the proceeding. Adjournment requests are not routinely granted. Claims of court engagement will require detailed affidavits of actual engagement. Claims of illness will require medical documentation. Failure to obtain an attorney within a reasonable period of time prior to the proceeding will not be grounds for an adjournment.

The Committee will make a written report of its findings, conclusions as to guilt, and a determination. Such determination may be reviewed by the administrative review board for professional medical conduct.

**SINCE THESE PROCEEDINGS MAY RESULT IN A DETERMINATION THAT SUSPENDS OR REVOKES YOUR LICENSE TO PRACTICE MEDICINE IN NEW YORK STATE AND/OR IMPOSES A FINE FOR EACH OFFENSE CHARGED, YOU ARE URGED TO OBTAIN AN ATTORNEY TO REPRESENT YOU IN THIS MATTER.**

DATED: Albany, New York  
June, 11 2015



MICHAEL A. FISER  
Deputy Counsel  
Bureau of Professional Medical Conduct

Inquiries should be addressed to:

Paul Tsui,  
Associate Counsel  
Bureau of Professional Medical Conduct  
Corning Tower – Room 2512  
Empire State Plaza  
Albany, NY 12237  
(518) 473-4282

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

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IN THE MATTER  
OF  
MEGHAN WILOCK, R.P.A.  
AL-14-12-7299A

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STATEMENT  
OF  
CHARGES

Meghan Wilock, R.P.A., Respondent, was authorized to practice as a physician's assistant in New York State on October 5, 2011, by the issuance of license number 015198 by the New York State Education Department.

**FACTUAL ALLEGATIONS**

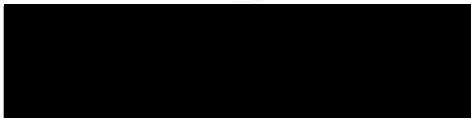
A. On or about September 18, 2014 in the Town of Guilderland Justice Court, County of Albany, State of New York, Respondent was found guilty, based on a plea of guilty, of Driving While Intoxicated, in violation of New York Vehicle and Traffic Law, §1192(3), a misdemeanor, and was sentenced on November 20, 2014, to three years of probation, a six-month driver's license suspension, a \$500.00 fine, and a \$400.00 surcharge.

**SPECIFICATION**

Respondent violated New York Education Law §6530(9)(a)(i) by being convicted of committing an act constituting a crime under New York State law, in that Petitioner charges:

1. The facts in paragraph A.

DATED: *June 11*, 2015  
Albany, New York

  
MICHAEL A. HISER  
Deputy Counsel  
Bureau of Professional Medical Conduct

***APPENDIX 2***



## TERMS OF PROBATION

1. Respondent's conduct shall conform to moral and professional standards of conduct and to governing law. Any act of professional misconduct by Respondent as defined by New York Education Law §§ 6530 or 6531 shall constitute a violation of probation and may subject Respondent to an action pursuant to New York Public Health Law § 230 (10) or (19), or both.
2. Respondent shall remain in continuous compliance with all requirements of New York Education Law § 6502, including, but not limited to, the requirements that licensee register and continue to be registered with the New York State Education Department and that licensee pay all registration fees. Respondent shall not exercise the option provided in New York Education Law § 6502(4) to avoid registration and payment of fees.
3. Respondent shall enroll in the Committee for Physician Health ("CPH"). Enrollment in CPH requires Respondent's compliance with the following:
  - a. Completion of any CPH contract terms or requirements; and
  - b. Providing CPH with written authorization for CPH to provide the Director of the Office of Professional Medical Conduct ("OPMC") with all information or documentation requested to determine Respondent's compliance with the CPH contract and this Determination and Order.
4. Respondent shall provide to the Director, Office of Professional Medical Conduct (OPMC), Riverview Center, Suite 355, 150 Broadway, Albany, New York, 12204, at least every six months and as otherwise requested, or within thirty days of any change in the information, the following information in writing:
  - a. A full description of the Respondent's employment and practice;
  - b. All professional and residential addresses and telephone numbers within and outside of New York State;
  - c. Any and all information concerning investigations, arrests, charges, convictions or disciplinary actions by any local, state, or federal agency; and
  - d. Any and all information concerning investigations, terminations, or disciplinary matters by any institution or facility.
5. Respondent shall provide to the Director, Office of Professional Medical Conduct (OPMC), Riverview Center, Suite 355, 150 Broadway, Albany, New York, 12204, copies of all

- applications relating to practice as a physician assistant, including but not limited to, insurance and licensure, in any jurisdiction, concurrent with their submission.
6. Respondent shall cooperate fully with, and will respond within two weeks to, OPMC requests to provide written periodic verification of Respondent's compliance with these terms of probation. Upon the Director of OPMC's request, Respondent shall meet personally with a person designated by the Director.
  7. The probationary period shall begin on the effective date of the Order and Determination and Respondent shall fulfill all probation terms and such additional requirements as the Director may impose as reasonably relate to the matters set forth in the Determination and Order or as are necessary to protect the public health.
  8. Respondent shall comply with these Terms of Probation, and shall bear all associated compliance costs. Upon receiving evidence of noncompliance with or a violation of these terms, the Director of OPMC and/or the Board for Professional Medical Conduct may initiate a violation of probation proceeding, and/or any other proceeding authorized by law, against the Respondent.