



Department of Health

ANDREW M. CUOMO
Governor

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

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

May 28, 2020

CERTIFIED MAIL - RETURN RECEIPT REQUESTED AND EMAIL

Marc S. Nash, Esq.
NYS Department of Health
Bureau of Professional Medical Conduct
Corning Tower, Room 2512
Empire State Plaza
Albany, New York 12237

Jesse B. Baldwin, Esq.
Kenney Shelton Liptak Nowak, LLP
233 Franklin Street
Buffalo, New York 14202

Amy T. Kulb, Esq.
Jacobson Goldberg & Kulb, LLP
585 Stewart Avenue, Suite 720
Garden City, New York 11530

Anthony Leone, M.D.


RE: In the Matter of Anthony Leone, M.D.

Dear Parties:

Enclosed please find the Determination and Order (No. 20-137) 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.

Five days after receipt of this Order, you will be required to deliver to the Board of Professional Medical Conduct your license to practice medicine together with the registration certificate. Delivery shall be by either certified mail or in person to:

Office of Professional Medical Conduct
New York State Department of Health
Office of Professional Medical Conduct
Riverview Center
150 Broadway - Suite 355
Albany, New York 12204

If your license or registration certificate is lost, misplaced or its whereabouts is otherwise unknown, you shall submit an affidavit to that effect. If subsequently you locate the requested items, they must then be delivered to the Office of Professional Medical Conduct in the manner noted above.

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 licensee or the Department may seek a review of a committee determination.

Request for review of the Committee's determination by the Administrative Review Board stays penalties other than suspension or revocation until final determination by that Board. Summary orders are not stayed by Administrative Review Board reviews.

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,



James F. Horan
Chief Administrative Law Judge
Bureau of Adjudication

JFH: cmg
Enclosure

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

COPY

IN THE MATTER
OF
ANTHONY LEONE, M.D.

DETERMINATION

AND

ORDER

BPMC-20-137

This case was brought by the New York State Department of Health, Bureau of Professional Medical Conduct (“the Department”). A Commissioner’s Order of Summary Action (“COSA”), Notice of Referral Proceeding (“NORP”) and Statement of Charges (“SOC”), dated February 25, 27, and 26, 2020, respectively, were served upon Anthony Leone, M.D. (“Respondent”). The COSA, NORP and SOC are attached to this Determination and Order as Appendix 1. A hearing, pursuant to N.Y. Public Health Law (“PHL”) §230 and New York State Admin. Proc. Act §§301-307 and 401, was held by videoconference on April 23, 2020¹.

Michael C. Iannuzzi, M.D., Chair, Elisa E. Burns, M.D., and Susan Ksiazek, B.S. Pharm, duly designated members of the State Board for Professional Medical Conduct, served as the Hearing Committee (“Committee”) in this matter. Ann H. Gayle, Administrative Law Judge, served as the administrative officer. The Department appeared by Marc S. Nash, Associate Counsel. Respondent appeared by Jesse B. Baldwin, Esq., and Amy T. Kulb, Esq. Evidence was received and a transcript (pages 1-134) of this hearing was made.

After consideration of the entire record, the Committee issues this Determination and Order; all findings, conclusions, and determinations herein are unanimous.

¹ This hearing was originally scheduled to be held on March 18, 2020, at the Department’s offices in Rochester, New York. The matter was adjourned due to the COVID-19 pandemic and with the agreement of the parties the hearing went forward via videoconference.

STATEMENT OF CASE

PHL §230(10)(p) provides for a hearing with circumscribed issues when a licensee is charged with misconduct based upon a criminal conviction under federal or state law and/or upon an administrative adjudication in another state regarding conduct that would amount to a crime and/or professional misconduct if committed in New York. In the instant case, Respondent is charged with professional misconduct pursuant to Educ. Law §6530(9)(a)(ii) for having been convicted of a crime under federal law. The scope of the hearing is limited to a determination of the penalty, if any, to be imposed upon the licensee.

FINDINGS OF FACT

Citations in parentheses, which refer to transcript page numbers ("T") and exhibits ("Ex") that were accepted into evidence, represent evidence found persuasive by the Committee in arriving at a particular finding.

1. On April 25, 1995, Respondent, Anthony Leone, M.D., was authorized by the issuance of license number 199038 by the New York State Education Department to practice medicine in New York State. Respondent's license is currently INACTIVE as of February 25, 2020, the effective date of the COSA. (Ex 2; Ex 4)
2. On September 4, 2019, in the United States District Court, Western District of New York, Respondent, pled guilty to one felony count of Making Materially False Statements, in violation of 18 USC §1001(a)(2), and one count of Unlawful Possession of a Controlled Substance, in violation of 21 USC §844(a). On December 16, 2019, Respondent was convicted and sentenced to a probation term of two years and was assessed a monetary penalty in the amount of \$125.00. (Ex 5; Ex 6; Ex 7; Ex 8)

CONCLUSIONS OF LAW

The Department charged Respondent with one Specification of professional misconduct for having been convicted of a crime under federal law. Educ. Law §6530(9)(a)(ii). Based on Respondent's September 4, 2019 guilty plea and his December 16, 2019 federal criminal conviction the Committee concludes that this Specification is sustained.

DISCUSSION AND DETERMINATION AS TO PENALTY

The Department is seeking a revocation of Respondent's license based on his actions prior to recovery, *i.e.*, lying to the federal government and using his license to order medications for himself and his wife, which the Department argues are not excused by his recovery and compliance with his programs. In the alternative the Department is seeking an actual suspension followed by probation for five years (T 127-128, 130).

Respondent argued that neither revocation nor suspension of his license is warranted as he is in recovery and is in 100% compliance with CPH and all his programs. Respondent proposes that an appropriate penalty would be a three-year probation with a practice monitor and a sobriety monitor (T 123, 125-127).

The Committee noted that although Respondent has demonstrated commendable compliance with his recovery, it is concerned that not only did Respondent practice medicine during the years of his addiction and self-prescribing but also that two years is a relatively short period of time in the realm of addiction/recovery. Respondent's testimony that he did not perform surgery or treat patients the days following the days/nights he used the drugs and the lack of negative reporting about him from OR staff before or during recovery do not overcome the fact that he obtained the drugs under false pretenses by virtue of his medical license. Nor

does it outweigh the fact that Respondent then used the drugs and became addicted to them while he continued to practice medicine.

The Committee further notes that Respondent's admission to the DEA agents followed his initial lies to those DEA agents:

"by the end of the conversation I had to basically tell them the truth, because there was no medication in the office. There was no lockbox for storage, and there were no patient records that would have supported that I gave medication to patients." (T 45)

Although Respondent made this admission when he realized he was caught in his scheme, to his credit Respondent did immediately seek help, cease his practice of medicine, and enroll in an inpatient program followed by an out-patient program, and he has continued to participate in his recovery programs both as a participant and as a support and mentor to other recovering addicts.

The Committee determines that the following penalties address Respondent's wrongdoing and provide appropriate protection of/for the public: a one-year suspension of Respondent's license; a three-year probation to include sobriety and practice monitors; a permanent limitation/hold on Respondent's DEA license; and requirements that Respondent satisfy New York State's CME requirements in the areas of orthopedic spine surgery and/or diseases of the spine.


ORDER

IT IS HEREBY ORDERED THAT:

1. The charge of misconduct for having been convicted of a crime under federal law is **SUSTAINED**;
2. Pursuant to PHL §230-a(3), there shall be a permanent limitation on Respondent's license. Respondent shall not maintain a DEA license;
3. Pursuant to PHL §230-a(2)(a), Respondent's license to practice medicine shall be suspended wholly, for a period of one year effective retroactively to February 25, 2020;

4. At the completion of the whole suspension, pursuant to PHL §230-a(9), Respondent's license shall be placed on probation for a period of three (3) years during which he shall comply with the Terms of Probation annexed as Appendix 2;
5. New York State requires physicians to complete 50 hours of CME per year/100 hours in two years.
 - a. For Respondent's next full biennial period, Respondent shall complete the New York State requirements and pursuant to PHL §230-a(8) Respondent shall be required to fulfill the remainder of the 50 hours/100 hours by pursuing a course of education or training consisting of attendance and completion of CME in the areas of orthopedic spine surgery and/or diseases of the spine. Within 60 days of the commencement of the full biennial period, Respondent must identify such CME or equivalent courses and submit them to OPMC's Director for approval. Such courses shall be taken and successfully completed the first time they are offered following OPMC's Director's approval.
 - b. Once Respondent has completed the New York State requirements for Respondent's current biennial period, pursuant to PHL §230-a(8) Respondent shall be required to fulfill the remainder (if any) of the 50 hours/100 hours by pursuing a course of education or training consisting of attendance and completion of CME in the areas of orthopedic spine surgery and/or diseases of the spine. Within 120 days of the effective date of this Order, Respondent must identify such CME or equivalent courses and submit them to OPMC's Director for approval. Such courses shall be taken and successfully completed the first time they are offered following OPMC's Director's approval; and
6. This Order shall be effective upon service on Respondent as required under PHL §230(10)(h).

DATED: 5/27/20, New York
May 27, 2020


MICHAEL C. IANNOZZI, M.D., Chair
ELISA E. BURNS, M.D.
SUSAN KSIAZEK, B.S. Pharm.

To: Marc S. Nash, Associate Counsel
New York State Department of Health
Bureau of Professional Medical Conduct
Corning Tower, Room 2512
Empire State Plaza
Albany, New York 12237-0032

Jesse B. Baldwin, Esq.
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Amy T. Kulb, Esq.
Jacobson Goldberg & Kulb, LLP
585 Stewart Avenue – Suite 720
Garden City, New York 11530

Anthony Leone, M.D.


APPENDIX 1

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

IN THE MATTER
OF
ANTHONY LEONE, M.D.

COMMISSIONER'S
ORDER OF
SUMMARY
ACTION

TO: ANTHONY LEONE, M.D.
[REDACTED]

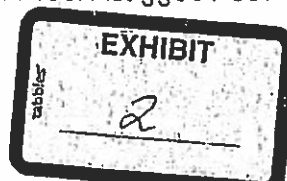
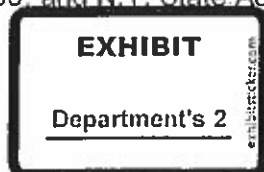
The undersigned, Sally Dreslin, M.S., R.N., Executive Deputy Commissioner, pursuant to N.Y. Public Health Law §230, upon the recommendation of a Committee on Professional Medical Conduct of the State Board for Professional Medical Conduct, has determined that Anthony Leone, M.D. (henceforth "Respondent"), New York license number 199038, has pleaded or been found guilty or convicted of committing an act constituting a felony under New York State law, federal law, or the law of another jurisdiction which, if committed within this state, would have constituted a felony under New York State law, as is more fully set forth in the Statement of Charges attached to the Notice of Referral Proceeding or Notice of Hearing and made a part hereof.

It is therefore:

ORDERED, pursuant to N.Y. Public Health Law §230(12)(b), that effective immediately, Respondent shall not practice medicine in the State of New York, or practice in any setting under the authority of Respondent's New York license.

Any practice of medicine in violation of this Order shall constitute Professional Misconduct within the meaning of N.Y. Educ. Law §6530(29) and may constitute unauthorized medical practice, a Felony defined by N.Y. Educ. Law §6512.

This Order shall remain in effect until the final conclusion of a hearing which shall commence within ninety days of the service of this order and shall end within ninety days thereafter. The hearing will be held pursuant to the provisions of N.Y. Pub. Health Law §230 and N.Y. State Admin. Proc. Act §§301-307 and 401. The hearing will be conducted



before a committee on professional conduct of the State Board for Professional Medical Conduct on a date and at a location to be set forth in a written Notice of Hearing or Notice of Referral Proceeding provided to the Respondent contemporaneously with this Order.

THESE PROCEEDINGS MAY RESULT IN A DETERMINATION THAT YOUR LICENSE TO PRACTICE MEDICINE IN NEW YORK STATE BE REVOKED OR SUSPENDED, AND/OR THAT YOU BE FINED OR SUBJECT TO OTHER SANCTIONS SET FORTH IN NEW YORK PUBLIC HEALTH LAW §230-a. YOU ARE URGED TO OBTAIN AN ATTORNEY TO REPRESENT YOU IN THIS MATTER.

DATED: Albany, New York
February 25, 2020


Sally Dreslin, M.S., R.N.
Executive Deputy Commissioner
New York State Department of Health

Inquiries should be directed to:

Marc S. Nash
Associate Counsel
New York State Health Department
Bureau of Professional Medical Conduct
Corning Tower, Room 2512
Albany, NY, 12237

Phone: 518-473-4282

E-mail: 

cc: Jessie B. Baldwin, Esq.
Kenney Shelton Liptak Nowak, LLP
The Calumet Building
233 Franklin Street
Buffalo, New York 14202

IN THE MATTER
OF
ANTHONY LEONE, M.D.

NOTICE OF
REFERRAL
PROCEEDING

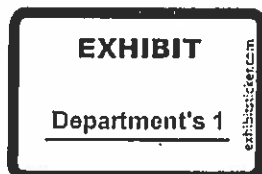
TO: ANTHONY LEONE, M.D.
c/o Jesse B. Baldwin, Esq.
Kenney Shelton Liptak Nowak, LLP
233 Franklin Street
Buffalo, NY 14202
Via e-mail to: JBaldwin@kslnlaw.onmicrosoft.com

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 March 18, 2020, at 10:30 a.m., at the offices of the New York State Department of Health, 259 Monroe Avenue, Rochester, New York 14607, and at such other adjourned dates, times and places as the committee may direct.

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 at least 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. You may also file a written brief and affidavits with the Committee. All such documents 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, at least ten days prior to the date of the hearing. Should the parties have objection(s) to proposed witnesses or documentary evidence, the party raising the objection(s) shall contact the Bureau of Adjudication at least three days prior to the hearing date to arrange for a pre-hearing conference with the Administrative Law Judge, prior to the hearing date.

Not later than ten days prior to the date of the hearing, you are required to file one copy of your proposed exhibits (if any) with the Bureau of Adjudication at the address indicated above, and a copy of all such documents/exhibits must be served on the same date on the Department of Health attorney indicated below. On the day of the hearing, you are also required to provide the original of such exhibits and three copies, for use by the Committee.

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.

THESE PROCEEDINGS MAY RESULT IN A DETERMINATION THAT YOUR LICENSE TO PRACTICE MEDICINE IN NEW YORK STATE BE REVOKED OR SUSPENDED, AND/OR THAT YOU BE FINED OR SUBJECT TO OTHER SANCTIONS SET OUT IN NEW YORK PUBLIC HEALTH LAW §§230-a. YOU ARE URGED TO OBTAIN AN ATTORNEY TO REPRESENT YOU IN THIS MATTER.

DATED: Albany, New York
February 27, 2020


TIMOTHY J. MAHAR
Deputy Counsel
Bureau of Professional Medical Conduct

Inquiries should be addressed to:

Marc S. Nash
Associate Counsel
Bureau of Professional Medical Conduct
Corning Tower – Room 2512
Empire State Plaza
Albany, NY 12237
(518) 473-1706

IN THE MATTER
OF
ANTHONY LEONE, M.D.

STATEMENT
OF
CHARGES

ANTHONY LEONE, M.D., the Respondent, was authorized to practice medicine in New York State on or about April 25, 1995, by the issuance of license number 199038 by the New York State Education Department.

FACTUAL ALLEGATIONS

A. On or about September 4, 2019, in the United States District Court, Western District of New York, Respondent pled guilty to one felony count of Making Materially False Statements [18 U.S.C. § 1001(a)(2)] and one count of Unlawful Possession of a Controlled Substance [21 U.S.C. § 844(a)]. On December 16, 2019, Respondent was convicted and sentenced to a probation term of two years and was assessed a monetary penalty in the amount of One Hundred Twenty-Five Dollars (\$125.00).

SPECIFICATION OF CHARGES

CRIMINAL CONVICTION (Federal)

Respondent is charged with committing professional misconduct as defined in N.Y. Educ. Law § 6530(9)(a)(ii) by having been convicted of committing an act constituting a crime under federal law as alleged in the facts of the following:

1. The facts in Paragraph A.

DATE: February 26, 2020
Albany, New York


TIMOTHY J. MAHAR
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 governing law. Any act of professional misconduct by Respondent as defined by N.Y. Educ. Law §§ 6530 or 6531 shall constitute a violation of probation and may subject Respondent to an action pursuant to N.Y. Pub. Health Law § 230(19).
2. Respondent shall maintain active registration of his license with the New York State Education Department Division of Professional Licensing Services, and shall pay all registration fees.
3. Respondent shall provide the Director, Office of Professional Medical Conduct (OPMC), Riverview Center, 150 Broadway, Suite 355, Albany, New York 12204 with the following information, in writing, and ensure that this information is kept current: a full description of his employment and practice; all professional and residential addresses and telephone numbers within and outside New York State; and all investigations, arrests, charges, convictions or disciplinary actions by any local, state or federal agency, institution or facility. Respondent shall notify OPMC, in writing, within 30 days of any additions to or changes in the required information.
4. Respondent shall cooperate fully with and respond in a timely manner to OPMC requests to provide written periodic verification of his compliance with these terms. Upon the Director of OPMC's request, Respondent shall meet in person with the Director's designee.
5. Respondent shall abstain from the use of alcohol and controlled substances except as prescribed by another physician for legitimate and documented therapeutic purposes during the probation period and shall be monitored by a qualified health care professional proposed by Respondent and approved in writing by the Director of OPMC (sobriety monitor).
 - a. The sobriety monitor shall oversee Respondent's compliance with the terms and conditions imposed herein and shall cause to be performed forensically valid, random, supervised, unannounced blood, breathalyzer and/or urine tests for the presence of alcohol and controlled substances except as prescribed by another physician for legitimate and documented therapeutic purposes. The sobriety monitor shall notify the Director of OPMC immediately if Respondent refuses such a test or if a test reveals Respondent is not alcohol or controlled substances free.
 - b. Every three months, the sobriety monitor shall submit a report to OPMC certifying compliance with these terms or describing any failure to comply.
6. During the probation period, Respondent shall practice medicine in New York State only when monitored by a licensed physician, board certified in an appropriate specialty (practice

monitor), who is proposed by Respondent and subject to the written approval of the Director of the OPMC.

- a. Respondent shall make available to the monitor any and all records or access to the practice requested by the monitor, including on-site observation. The practice monitor shall visit the Respondent's medical practice at each and every location, on a random, unannounced basis at least monthly and shall examine a selection (no fewer than 20) of records maintained by the Respondent, including patient records, prescribing information and office records. The review will determine whether the Respondent's medical practice is conducted in accordance with generally accepted standards of professional medical care. Any perceived deviation of accepted standards of medical care or refusal to cooperate with the monitor shall be reported within 24 hours to the OPMC.
 - b. Respondent shall cause the practice monitor to report quarterly, in writing, to the Director of the OPMC.
 - c. Respondent shall be solely responsible for all expenses associated with monitoring, including fees, if any, to the monitoring physician.
 - d. Respondent shall maintain medical malpractice insurance coverage with limits no less than \$2 million per occurrence and \$6 million per policy year, in accordance with § 230(18)(b) of the Public Health Law. Proof of coverage shall be submitted to the Director of OPMC prior to Respondent commencing practice within the State of New York.
7. The probation period shall toll when Respondent is not engaged in active medical practice in New York State for a period of 30 consecutive days or more. Respondent shall notify the Director of OPMC, in writing, if he is not currently engaged in, or intends to leave, active medical practice in New York State for a consecutive 30-day period. Respondent shall then notify the Director again at least 14 days before returning to active practice. Upon Respondent's return to active practice in New York State, the probation period shall resume and Respondent shall fulfill any unfulfilled 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. The Director of OPMC may review Respondent's professional performance. This review may include but shall not be limited to: a review of office records, patient records, hospital charts, and/or electronic records; and interviews with or periodic visits with Respondent and staff at practice locations or OPMC offices.
9. Respondent shall comply with these probationary terms, 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 may initiate a violation of probation proceeding, and/or any other such proceeding authorized by law, against Respondent.