



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 27, 2015

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

Norman Franklin Williams, M.D.
#M52811
Statesville Correctional Center
P.O. Box 112
Joliet, Illinois 60434

Michael A. Hiser, Esq.
NYS Department of Health
ESP-Corning Tower-Room 2512
Albany, New York 12237

RE: In the Matter of Norman Franklin Williams, M.D.

Dear Parties:

Enclosed please find the Determination and Order (No. 15-248) 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 (l), (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.

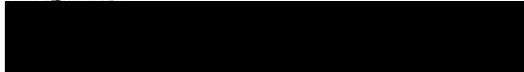
The notice of review served on the Administrative Review Board should be forwarded to:

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:cah
Enclosure

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

IN THE MATTER
OF
NORMAN FRANKLIN WILLIAMS, M.D.

DETERMINATION

AND

COPY

ORDER

BPMC #15-248

A hearing was held October 14, 2015, at the offices of the New York State Department of Health ("the Petitioner"). A Notice of Referral Proceeding, dated June 26, 2015, and a Statement of Charges, dated June 24, 2015, were served upon the Respondent, Norman Franklin Williams, M.D.

Pursuant to Section 230(10)(e) of the Public Health Law, Diane M. Sixsmith, M.D., M.P.H., Chair, Leland Deane, M.D., M.B.A., and Janet M. Miller, R.N., duly designated members of the State Board for Professional Medical Conduct, served as the Hearing Committee in this matter. David A. Lenihan, Esq., Administrative Law Judge, served as the Administrative Officer. The Petitioner appeared by Richard J. Zahnleuter, Esq., Acting General Counsel, by Michael A. Hiser, Esq., of Counsel. The Respondent, Norman Franklin Williams, M.D., did not appear, although duly served. Evidence was received and transcripts of these proceedings were made. After consideration of the entire record, the Hearing Committee issues this Determination and Order.

STATEMENT OF CASE

This case was brought pursuant to Public Health Law Section 230(10) (p). The statute provides for an expedited hearing when a licensee is charged solely with a violation of Education Law Section 6530(9). In such cases, a licensee is charged with misconduct based upon a prior criminal conviction in New York State or another jurisdiction, or upon a prior administrative adjudication regarding conduct that would amount to professional misconduct, if committed in New York. The scope of an expedited hearing is limited to a determination of the nature and severity of the penalty to be imposed upon the licensee.

In the instant case, the Respondent is charged with professional misconduct pursuant to Education Law §6530(9)(b) by having been found guilty of improper professional conduct 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.

The Respondent is also charged with professional misconduct pursuant to Education Law §6530(9) (d) by having his license to practice medicine revoked and/or having other disciplinary action taken or having surrendered his license to practice medicine after a disciplinary action was instituted by a duly authorized professional disciplinary agency of another state, where the conduct resulting in the surrender of license, revocation of license and/or other disciplinary action would, if committed in New York State constitute professional misconduct under the laws New York State. Finally, the Respondent is charged with professional misconduct pursuant to Education Law §6530(9) (a)(iii) by being 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.

Copies of the Notice of Referral Proceeding and the Statement of Charges are attached to this Determination and Order as Appendix 1.

WITNESSES

For the Petitioner: None

For the Respondent: None

FINDINGS OF FACT

The following Findings of Fact were made after a review of the entire record in this matter. Numbers below in parentheses refer to exhibits, denoted by the prefix "Ex."

These citations refer to evidence found persuasive by the Hearing Committee in arriving at a particular finding. Conflicting evidence, if any, was considered and rejected in favor of the cited evidence. All Hearing Committee findings were unanimous.

1. The Respondent, Norman Franklin Williams, M.D., did not appear, although he was duly served by personal service on July 10, 2015. (Petitioner's Exhibit 2)
2. Respondent was authorized to practice medicine in New York State on February 3, 2009, by the issuance of license number 251866 by the New York State Education Department. (Petitioner's Exhibit 3)

3. On or about September 12, 2014, in the Circuit Court of Rock Island County, Fourteenth Judicial Circuit, State of Illinois, Respondent was convicted of two counts of Criminal Sexual Assault in violation of Illinois Criminal Statute 5/12-13(a)(2), a felony, and one count of Criminal Sexual Assault in violation of Illinois Criminal Statute 5/11-1.20(a)(2), a felony.
4. Respondent was sentenced to three years' incarceration on each count, the sentences to be served consecutively.
5. On or about March 4, 2015, the State of Illinois, Department of Financial and Professional Regulation, Division of Professional Regulation (Illinois Medical Board") revoked Respondent's license to practice medicine by Permanent Revocation Order ("Illinois Revocation Order") based upon his conviction of a forcible felony.
6. The conduct resulting in the Illinois Revocation Order against Respondent would constitute misconduct under the laws of New York State, pursuant to the following section of New York state law:
 - A. New York Education Law §6530(9)(a)(iii) (criminal conviction In another jurisdiction)

VOTE OF THE HEARING COMMITTEE

FIRST SPECIFICATION

"Respondent violated New York Education Law §6530(9)(a)(iii) by being convicted of committing an act constituting a crime under the laws of another jurisdiction and which, if committed within this state, would have constituted a crime under New York state law..."

VOTE: Sustained (3-0)

SECOND SPECIFICATION

"Respondent violated New York Education Law §6530(9) (b) by having been found guilty of improper professional practice or professional misconduct by a duly authorized professional disciplinary agency of another state, where the conduct resulting in the surrender of license, revocation of license and/or other disciplinary action would, if committed in New York State, constitute professional medical misconduct under the laws New York State..."

VOTE: Sustained (3-0)

THIRD SPECIFICATION

"Respondent violated New York Education Law §6530(9)(d) by having his license to practice medicine revoked after a disciplinary action was instituted by a duly authorized professional disciplinary agency of another state, where the conduct resulting in the revocation would, if committed in New York State, constitute professional misconduct under the laws New York State..."

VOTE: Sustained (3-0)

HEARING COMMITTEE DETERMINATION

The Respondent did not appear at the hearing, either in person or by counsel. The Administrative Law Judge, after considering the documentary evidence, which included an Affidavit of Personal Service of the Notice of Referral Proceeding and the Statement of Charges (Petitioner's Exhibit 2), ruled that the Petitioner had met the requirements of law for jurisdiction in the service of process, that jurisdiction had been established over the Respondent, and that the hearing could proceed on the merits notwithstanding the Respondent's absence.

On review of the entire matter, it appears that there is no dispute about the fact of the underlying conviction. The Record shows that the Respondent was convicted of two counts of Criminal Sexual Assault, in violation of Illinois Criminal Statute 5/12-13(a)(2) a felony and one count of Criminal Sexual Assault, in violation of Illinois Criminal Statute 5/11-1.20(a)(2), a felony. The record goes on to show that the Respondent is presently serving a prison term of three years for each of these convictions. These sentences are to be served consecutively.

The panel was unanimous in finding that the actions of the Respondent warranted revocation of the Respondent's New York license as the only appropriate protection for New York patients. The Department asked for a revocation of the Respondent's license.

Respondent did not appear at the hearing, and the record does not contain any evidence of mitigating circumstances or remorse. The panel based its determination on the documentation in the record. The panel considered the full range of penalties

available and was unanimous that revocation would be the proper penalty. Accordingly, as to the penalty to be imposed, the Hearing Committee determined that the people of New York State would be protected by a revocation of the Respondent's license.

ORDER

IT IS HEREBY ORDERED THAT:

1. The specifications of professional misconduct, as set forth in the Statement of Charges, are **SUSTAINED**.
2. The license of the Respondent to practice medicine in New York State is hereby **REVOKED**.
3. This Order shall be effective upon service on the Respondent in accordance with the requirements of Public Health Law Section 230(10)(h).

DATED: New York, New York

October 23, 2015

Diane M. Sixsmith, M.D., M.P.H., Chair,

Leland Deane, M.D., M.B.A.

Janet M. Miller, R.N.

Norman Franklin Williams, M. D... - Direct Referral

To:

Norman Franklin Williams, M.D. # M52811
Respondent
Statesville Correctional Center
P.O. Box 112
Joliet, IL. 60434

Michael A. Hiser, Esq.
Attorney for Petitioner
Deputy Counsel
NYS Department of Health
Bureau of Professional Medical Conduct
Corning Tower, Room 2512
Empire State Plaza
Albany, New York 12237

APPENDIX 1

IN THE MATTER
OF
NORMAN F. WILLIAMS, M.D.

NOTICE OF
REFERRAL
PROCEEDING

TO: Norman F. Williams, M.D.
#M52811
Statesville Correctional Center
P.O. Box 112
Joliet, IL 60434

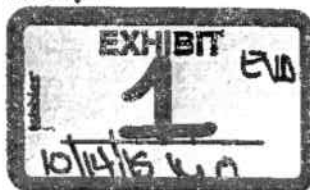
PLEASE TAKE NOTICE THAT:

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 16th day of September, 2015, at 10:00 a.m., at the offices of the New York State Department of Health, Riverview Center, 150 Broadway, Suite 510, Menands (Albany), NY 12204-2719.¹

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.

¹ For GPS purposes, enter "Menands", not "Albany".



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 [REDACTED]

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 26, 2015


MICHAEL A. HISER
Deputy Counsel
Bureau of Professional Medical Conduct

Inquiries should be addressed to:

Michael A. Hiser
Deputy Counsel
Bureau of Professional Medical Conduct
Corning Tower – Room 2512
Empire State Plaza
Albany, NY 12237
(518) 473-4282

IN THE MATTER
OF
NORMAN FRANKLIN WILLIAMS, M.D.

STATEMENT
OF
CHARGES

NORMAN FRANKLIN WILLIAMS, M.D., the Respondent, was authorized to practice medicine in New York State on February 3, 2009 by the issuance of license number 251866 by the New York State Education Department.

FACTUAL ALLEGATIONS

- A. On or about September 12, 2014, in the Circuit Court of Rock Island County, Fourteenth Judicial Circuit, State of Illinois, Respondent was convicted of two counts of Criminal Sexual Assault in violation of Illinois Criminal Statute 5/12-13(a)(2), a felony, and one count of Criminal Sexual Assault in violation of Illinois Criminal Statute 5/11-1.20(a)(2), a felony. Respondent was sentenced to four years to his natural life on each count, the sentences to be served consecutively. *free*

- B. On or about March 4, 2015, the State of Illinois, Department of Financial and Professional Regulation, Division of Professional Regulation ("Illinois Medical Board") revoked Respondent's license to practice medicine by Permanent Revocation Order ("Illinois Revocation Order") based upon his conviction of a forcible felony.

C. The conduct resulting in the Illinois Revocation Order 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 §6530(9)(a)(iii) (criminal conviction in another jurisdiction)

SPECIFICATIONS OF MISCONDUCT

FIRST SPECIFICATION

Respondent violated Education Law §6530(9)(a)(iii) by being convicted of 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 in that Petitioner charges:

1. The facts in Paragraph A.

SECOND SPECIFICATION

Respondent violated Education Law §6530(9)(b) by having been found guilty of improper professional practice or 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.


2. The facts in Paragraph B and C.

THIRD SPECIFICATION

Respondent violated Education Law §6530(9)(d) by having his license revoked after a disciplinary action was instituted by a duly authorized professional disciplinary agency of another state, where the conduct resulting in the revocation would, if committed in New York state, constitute professional misconduct under the laws of New York state, in that Petitioner charges:

3. The facts in Paragraphs B and C.

DATE: June²⁴, 2015
Albany, NY


Henry Weintraub
Chief Counsel
Bureau of Professional Medical Conduct