



THE STATE EDUCATION DEPARTMENT / THE UNIVERSITY OF THE STATE OF NEW YORK

OFFICE OF PROFESSIONAL DISCIPLINE
(212) 921-3872/3873

1411 BROADWAY - TENTH FLOOR
NEW YORK, NEW YORK 10018

November 18, 2015

Miklos Toth, Physician
[REDACTED]

Re: Application for Restoration

Dear Dr. Toth:

Enclosed please find the Commissioner's Order regarding Case No CP-15-15, which is in reference to the restoration of license number 144210. This order and any decision contained therein goes into effect five (5) days after the date of this letter.

Very truly yours,

LOUIS J. CATONE, Director
Office of Professional Discipline

By: [REDACTED]

ARIANA MILLER
Supervisor

DD/AM/cm

Enclosure

CERTIFIED MAIL - RRR

cc: Anthony Z. Scher, Esq.
Wood & Scher, Attorneys at Law
222 Bloomingdale Road
White Plains, NY 10605

The
University of the
Education  State of New York
Department

IN THE MATTER

of the

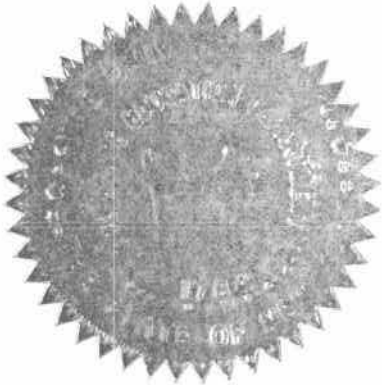
Application of MIKLOS TOTH for
restoration of his license to practice
as a physician in the State of New
York.

Case No. CP-15-15

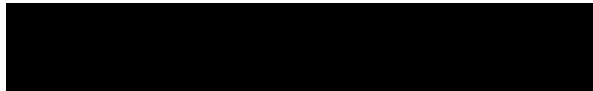
It appearing that the license of MIKLOS TOTH, to practice as a physician in the State of New York, was revoked by Order of the Administrative Review Board for Professional Medical Conduct dated June 23, 2009, and he having petitioned the Board of Regents for restoration of said license, and the Regents having given consideration to said petition and having reviewed the record, and having disagreed with and rejected the recommendation of the Peer Committee and having agreed with and adopted the recommendation of the Committee on the Professions, now, pursuant to action taken by the Board of Regents on September 17, 2015, it is hereby

ORDERED that the petition for restoration of License No. 144210, authorizing MIKLOS TOTH to practice as a physician in the State of New York, is denied, but that the execution of the Order of revocation of said license shall be stayed, and said MIKLOS TOTH shall be placed on probation for a period of one year under specified terms and conditions, and upon successful

completion of the probationary period, his license to practice as a physician in the State of New York shall be fully restored.



IN WITNESS WHEREOF, I, MaryEllen Elia, Commissioner of Education of the State of New York for and on behalf of the State Education Department, do hereunto set my hand and affix the seal of the State Education Department, at the City of Albany, this 10th day of November 2015.



Commissioner of Education

Case No. CP-15-15

It appearing that the license of MIKLOS TOTH, to practice as a physician in the State of New York, was revoked by Order of the Administrative Review Board for Professional Medical Conduct dated June 23, 2009, and he having petitioned the Board of Regents for restoration of said license, and the Regents having given consideration to said petition and having reviewed the record, and having disagreed with and rejected the recommendation of the Peer Committee and having agreed with and adopted the recommendation of the Committee on the Professions, now, pursuant to action taken by the Board of Regents on September 17, 2015, it is hereby

VOTED that the petition for restoration of License No. 144210, authorizing MIKLOS TOTH to practice as a physician in the State of New York, is denied, but that the execution of the Order of revocation of said license shall be stayed, and said MIKLOS TOTH shall be placed on probation for a period of one year under specified terms and conditions, and upon successful completion of the probationary period, his license to practice as a physician in the State of New York shall be fully restored.

EXHIBIT "A"

TERMS OF PROBATION OF THE COMMITTEE ON THE PROFESSIONS

Miklos Toth

1. That applicant, during the period of probation, shall cooperate fully with the Office of Professional Medical Conduct (OPMC) in its administration and enforcement of these Terms of Probation and in its investigation of all matters concerning applicant. Applicant shall respond in a timely manner to all OPMC requests for written periodic verification of applicant's compliance with these Terms of Probation. Applicant shall meet with a person designated by the Director of OPMC, as directed. Applicant shall respond promptly and provide all documents and information within applicant's control, as directed. These conditions shall take effect upon the Board of Regents' issuance of the Order in this matter and will continue so long as applicant remains licensed in New York State;
2. That applicant, during the period of probation, shall practice medicine only as a salaried physician in a hospital or other Article 28 facility or in a medical practice in a group setting approved by OPMC; and may perform surgery only under conditions and supervision approved by the Director of OPMC.
3. That applicant, during the period of probation, shall be in compliance with the standards of conduct prescribed by the law governing applicant's profession;
4. That applicant shall submit written notification to the Director of OPMC, 433 River Street – Suite 303, Troy, NY 12180-2299, within 15 days of receipt of the Order in this matter, of any employment and/or practice, applicant's residence, telephone number, and mailing address and of any change in applicant's employment, practice, residence, telephone number, and mailing address within or without the State of New York;
5. That applicant shall submit written proof from the Division of Professional Licensing Services (DPLS), New York State Education Department Education Department (NYSED), that applicant has paid all registration fees due and owing to the NYSED and applicant shall cooperate with and submit whatever papers are requested by DPLS in regard to said registration fees, said proof from DPLS to be submitted by applicant to the Department of Health (DOH), addressed to the Director, OPMC, as aforesaid, no later than the first three months of the period of probation;
6. That applicant shall submit written proof to the DOH, addressed to the Director, OPMC, as aforesaid, that 1) applicant is currently registered with the NYSED, unless applicant submits written proof that applicant has advised DPLS, NYSED, that applicant is not engaging in the practice of applicant's profession in the State

of New York and does not desire to register, and that 2) applicant has paid any fines which may have previously been imposed upon applicant by the Board of Regents or pursuant to section 230-a of the Public Health Law, said proof of the above to be submitted no later than the first two months of the period of probation;

7. That the period of probation shall be tolled during periods in which the applicant is not engaged in the active practice of medicine in New York State. The applicant shall notify the Director of OPMC, in writing, if the applicant is not currently engaged in or intends to leave the active practice of medicine in New York State for a period of thirty (30) consecutive days or more. The applicant shall notify the Director again at least 14 days before returning to active practice in New York State. The period of probation shall resume and any terms of probation which were not fulfilled shall be fulfilled upon the applicant's return to practice in New York State;
8. That upon receipt of evidence of noncompliance with or any other violation of any of the aforementioned terms of probation, the OPMC may initiate a violation of probation proceeding.