



Public

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

DIRECTOR, OFFICE OF PROFESSIONAL DISCIPLINE
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May 16, 2012

Hank Ross, Physician

REDACTED

Re: Application for Restoration

Dear Dr. Ross:

Enclosed please find the Commissioner's Order regarding Case No. CP-12-09 which is in reference to Calendar No. 25596. This order and any decision contained therein goes into effect five (5) days after the date of this letter

Very truly yours,

Donald Dawson
Director of Investigations

By:

REDACTED

Ariana Miller
Supervisor

DD/AM/go

cc: Anthony Z. Scher, Esq.
Wood & Scher
Attorneys At Law
222 Bloomingdale Road, Suite 311
White Plains, NY 10605

University of the
Education



The
State of New York
Department

IN THE MATTER

of the

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

Case No. CP-12-09

It appearing that the license of HANK ROSS, to practice as a physician in the State of New York, was revoked by Order of the Administrative Review Board dated August 11, 2006, and he having petitioned the Board of Regents for restoration of said license, and the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 agreed with and accepted the recommendations of the Peer Committee and the Committee on the Professions, except having adopted the terms of probation recommended by the Committee on the Professions, now, pursuant to action taken by the Board of Regents on March 19, 2012, it is hereby

ORDERED that the petition for restoration of License No. 163233, authorizing HANK ROSS to practice as a physician in the State of New York, is denied, but that the Order of revocation of said license shall be stayed, and said HANK ROSS shall be placed on probation for a period of seven years under specified terms and conditions, and upon successful completion of said probation, his license to practice as a physician in the State of New York shall be fully restored.



IN WITNESS WHEREOF, I, John B. King, Jr., 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 May 2012.

REDACTED

Commissioner of Education

It appearing that the license of HANK ROSS, to practice as a physician in the State of New York, was revoked by Order of the Administrative Review Board dated August 11, 2006, and he having petitioned the Board of Regents for restoration of said license, and the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 agreed with and accepted the recommendations of the Peer Committee and the Committee on the Professions, except having adopted the terms of probation recommended by the Committee on the Professions, now, pursuant to action taken by the Board of Regents on March 19, 2012, it is hereby

VOTED that the petition for restoration of License No. 163233, authorizing HANK ROSS to practice as a physician in the State of New York, is denied, but that the Order of revocation of said license shall be stayed, and said HANK ROSS shall be placed on probation for a period of seven years under specified terms and conditions, and upon successful completion of said probation, his license to practice as a physician in the State of New York shall be fully restored.

EXHIBIT "A"

COMMITTEE ON THE PROFESSIONS

TERMS OF PROBATION

HANK ROSS, M.D.

1. That applicant, during the period of probation, shall be in compliance with the standards of conduct prescribed by the law governing applicant's profession;

2. That applicant shall submit written notification to the Director, Office of Professional Medical Conduct (OPMC), 433 River Street-Suite 303, Troy, NY 12180-2299, 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;

3. That applicant shall submit written proof from the Division of Professional Licensing Services (DPLS), New York State 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;

4. 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;

5. That applicant shall only practice as a physician in a supervised setting, under the supervision of a board certified physician in the type of medicine that the applicant is practicing, said supervising physician to be selected by applicant and previously approved, in writing, by the Director of OPMC;

6. That applicant shall only perform surgery which is ambulatory surgery and shall only perform such surgery in a hospital under the direct supervision of a board certified surgeon, selected by the applicant and previously approved, in writing, by the Director of OPMC;

7. That applicant shall make quarterly visits to an employee of the OPMC, DOH, unless agreed to by said employee, for the purpose of said employee monitoring applicant's terms of probation to assure compliance therewith, and applicant shall cooperate with said employee, including the submission of information requested by said employee, regarding the aforesaid monitoring;

8. That during the period of probation, the applicant shall continue to see his present psychologist, Dr. Mendelsohn, or another psychologist selected by him and previously approved in writing by the Director, OPMC, and applicant shall, once every six months during the period of probation, submit a report from said therapist to the Director, OPMC, as aforesaid in which said therapist shall state whether or not the applicant is fit to practice as a physician in the State of New York. If any information is received by the OPMC indicating that the applicant is unfit to practice his profession, such information shall be processed to the OPMC for its determination in a violation of probation proceeding and/or such other proceedings pursuant to the Education Law and/or Rules of the Board of Regents;

9. 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, as aforesaid, 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 then notify the Director again prior to any change in that status. 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; and

10. 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.