



Board for Professional Medical Conduct

Corning Tower • Empire State Plaza • Albany, NY 12237 • (518) 474-8357

Mark R. Chassin, M.D., M.P.P., M.P.H.
Commissioner

C. Maynard Guest, M.D.
Executive Secretary

July 27, 1994

CERTIFIED MAIL-RETURN RECEIPT REQUESTED

Charles Shlimbaum, M.D.
22 Bay Shore Avenue
Bay Shore, New York 11706

RE: License No. 045230

Dear Dr. Shlimbaum:

Enclosed please find Order #BPMC 94-126 of the New York State Board for Professional Medical Conduct. This Order and any penalty provided therein goes into effect upon receipt of this letter or seven (7) days after the date of this letter, whichever is earlier.

If the penalty imposed by the Order is a surrender, revocation or suspension of this license, you are required to deliver to the Board the license and registration within five (5) days of receipt of the Order.

Board for Professional Medical Conduct
New York State Department of Health
Empire State Plaza
Tower Building-Room 438
Albany, New York 12237-0756

Sincerely,

C. Maynard Guest, M.D.
Executive Secretary
Board for Professional Medical Conduct

Enclosure

cc: Walter Marcus, Esq.
Kern, Augustine, Conroy & Shippman
420 Lakeville Road
Lake Success, New York 11042

Roy Nemerson, Esq.

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

-----X

IN THE MATTER :
OF : ORDER
CHARLES SHLIMBAUM, M.D. : BPMC 94-126

-----X

Upon the Application of Charles Shlimbaum, M.D. (Respondent) to Surrender his license as a physician in the State of New York, which application is made a part hereof, it is

ORDERED, that the application and the provisions thereof are hereby adopted; it is further

ORDERED, that the name of Respondent be stricken from the roster of physicians in the State of New York; it is further

ORDERED, that Respondent shall not apply for the restoration of Respondent's license until at least one year has elapsed from the effective date of this order; and it is further

ORDERED, that this order shall take effect as of the date of the personal service of this order upon Respondent, upon receipt by Respondent of this order via certified mail, or seven days after mailing of this order via certified mail, whichever is earliest.

SO ORDERED,

DATED: 22 July 1994

Charles J. Vacanti
CHARLES J. VACANTI, M.D.
Chairperson
State Board for Professional
Medical Conduct

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

 IN THE MATTER
 OF
CHARLES SHLIMBAUM, M.D.

: APPLICATION TO
: SURRENDER
: LICENSE
:

STATE OF NEW YORK)
 ss.:
COUNTY OF)

 CHARLES SHLIMBAUM, M.D., being duly sworn, deposes and
says:

 On or about December 27, 1946, I was licensed to practice
as a physician in the State of New York having been issued
License No. 045230 by the New York State Education Department.

 I am registered with the New York State Education
Department to practice as a physician in the State of New York
for the period beginning on January 1, 1993, and ending on
December 31, 1994. My registration address is 22 Bay Shore
Avenue, Bay Shore, NY 11706.

 I understand that I have been charged with four
specification(s) of professional misconduct as set forth in the

Statement of Charges, annexed hereto, made a part hereof, and marked as Exhibit "A".

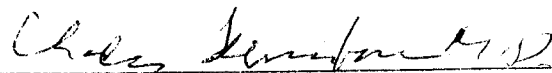
I am applying to the State Board for Professional Medical Conduct for permission to surrender my license as a physician in the State of New York on the grounds that I do not contest the specification(s) of professional misconduct set forth in the Statement of Charges.

I hereby make this application to the State Board for Professional Medical Conduct and request that it be granted.

I understand that, in the event that the application is not granted by the State Board for Professional Medical Conduct, nothing contained herein shall be binding upon me or construed to be an admission of any act of misconduct alleged or charged against me, such application shall not be used against me in any way, and shall be kept in strict confidence during the pendency of the professional misconduct disciplinary proceeding; and such denial by the State Board for Professional Medical Conduct shall be made without prejudice to the continuance of any disciplinary proceeding and the final determination by a Committee on Professional Medical Conduct pursuant to the provisions of the Public Health Law.

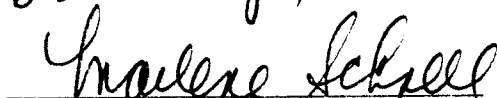
I agree that in the event the State Board for Professional Medical Conduct grants my application, an order shall be issued striking my name from the roster of physicians in the State of New York without further notice to me.

I am making this Application of my own free will and accord and not under duress, compulsion, or restraint of any kind or manner.



CHARLES SHLIMBAUM, M.D.
Respondent

Sworn to before me this
6th day of July, 1994


NOTARY PUBLIC

MARIENE SCHNELL
NOTARY PUBLIC, State of New York
No. 488-1956, Suffolk County
Term Expires November 30, 1995

EXHIBIT

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

-----X

IN THE MATTER : STATEMENT
OF : OF
CHARLES SHLIMBAUM, M.D. : CHARGES

-----X

CHARLES SHLIMBAUM, M.D., the Respondent, was authorized to practice medicine in New York State on December 27, 1946 by the issuance of license number 045230 by the New York State Education Department. The Respondent is currently registered with the New York State Education Department to practice medicine for the period January 1, 1993 through December 31, 1994 from 22 Bay Shore Avenue, Bay Shore, NY 11706.

FACTUAL ALLEGATIONS

A. Between on or about July 1990 and on or about January 1993, Respondent treated Patient A (all patients are identified in the attached Appendix) at his medical office. Throughout this period of time, Respondent inappropriately prescribed controlled substances including but not limited to Seconal.

B. Between on or about February 1990 and on or about May 1992, Respondent treated Patient B at his office. Throughout this period of time, Respondent inappropriately prescribed controlled substances including but not limited to Valium, Xanax, and Dilaudid.

C. Between on or about January 1989 and on or about May 1992, Respondent treated Patient C at his office. Throughout this period of time, Respondent inappropriately prescribed controlled substances including but not limited to opiates, benzodiazapines, and amphetamines.

SPECIFICATIONS OF MISCONDUCT

FIRST THROUGH THIRD SPECIFICATIONS

EXCESSIVE TREATMENT

Respondent is charged with committing professional misconduct as defined in N.Y. Educ. Law section 6530(35) (McKinney Supp. 1994) by ordering excessive tests, treatment, or the use of treatment facilities not warranted by the condition of the patient in that Petitioner charges the facts in:

- 1) Paragraph A;
- 2) Paragraph B;
- 3) Paragraph C;

FOURTH SPECIFICATION

NEGLIGENCE ON MORE THAN ONE OCCASION

Respondent is charged with committing professional misconduct as defined by N.Y. Educ. Law section 6530(3)(McKinney Supp. 1994) by practicing the profession of medicine with negligence on more than one occasion in that petitioner charges two or more of the facts in:

- 4) Paragraphs A, B, and/or C.

DATED: Albany, New York

CHRIS STERN HYMAN
Counsel
Bureau of Professional Medical
Conduct

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

IN THE MATTER

OF

CHARLES SHLIMBAUM, M.D.

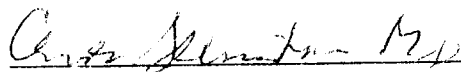
: APPLICATION TO

: SURRENDER

: LICENSE

The undersigned agree to the attached application of the Respondent to surrender his license.

Date: 7/6, 1994



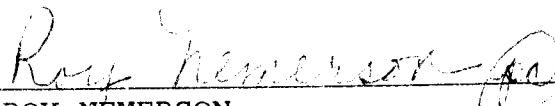
CHARLES SHLIMBAUM, M.D.
Respondent

Date: 7/12, 1994



WALTER MARCUS, ESQ.
Attorney for Respondent

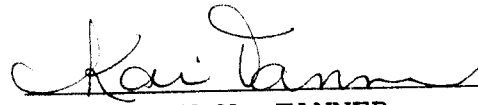
Date: 7/25, 1994



ROY NEMERSON
Deputy Counsel
Bureau of Professional
Medical Conduct

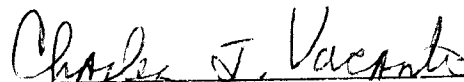
CHARLES SHLIMBAUM, M.D.

Date: July 22, 1994



KATHLEEN M. TANNER
Director, Office of Professional
Medical Conduct

Date: 22 July 1994



CHARLES J. VACANTI, M.D.
Chairperson, State Board for
Professional Medical Conduct