



New York State Board for Professional Medical Conduct

433 River Street, Suite 303 Troy, New York 12180-2299 • (518) 402-0863

Barbara A. DeBuono, M.D., M.P.H.
Commissioner of Health

Patrick F. Carone, M.D., M.P.H.
Chair
Ansel R. Marks, M.D., J.D.
Executive Secretary

October 30, 1998

CERTIFIED MAIL-RETURN RECEIPT REQUESTED

Louis Hertz, M.D.
3448 Corwin Court
Loomis, CA 95650-9583

RE: License No. 049099

Dear Dr. Hertz:

Enclosed please find Order #BPMC 98-253 of the New York State Board for Professional Medical Conduct. This Order and any penalty provided therein goes into effect **October 30, 1998.**

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
Hedley Park Place, Suite 303
433 River Street
Troy, New York 12180

Sincerely,


Ansel R. Marks, M.D., J.D.
Executive Secretary
Board for Professional Medical Conduct

Enclosure

cc: Peter Van Buren, Esq.

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

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IN THE MATTER : SURRENDER
OF : ORDER
LOUIS HERTZ, M.D. : BPMC # 98-253

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LOUIS HERTZ, M.D., says:

On or about August 14, 1949, I was licensed to practice medicine as a physician in the State of New York having been issued License No. 049099 by the New York State Education Department. My current address is 3448 Corwin Court, Loomis, CA, 9550-9583.

I am not currently registered with the New York State Education Department to practice as a physician in the State of New York.

I understand that I have been charged with one specification 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 an agreement to allow me to surrender my license as a physician in the State of New York and request that the Board issue this Surrender Order.

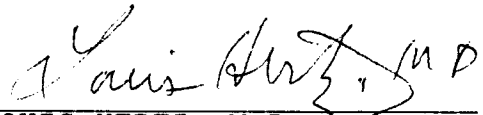
I hereby agree not to contest the allegation and specification set forth in the Statement of Charges (Exhibit A).

I understand that, in the event that this proposed agreement 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 proposed agreement 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 agrees with my proposal, this Order shall be issued striking my name from the roster of physicians in the State of New York without further notice to me. I agree that this Order shall be effective upon issuance by the Board, which may be accomplished by mailing, by first class mail, a copy of the Order to me at the address set forth above, or to my attorney, or upon transmission via facsimile to me or my attorney, whichever is earliest.

I am making this agreement of my own free will and accord


and not under duress, compulsion, or restraint of any kind or manner.



LOUIS HERTZ, M.D.
Respondent


AGREED TO:

Date: October 15, 1998



PETER D. VAN BUREN
Deputy Counsel
Bureau of Professional
Medical Conduct

Date: October 21, 1998



ANNE F. SAILE
Director, Office of
Professional Medical Conduct

ORDER

Upon the proposed agreement of LOUIS HERTZ, M.D., to Surrender his license as a physician in the State of New York, which proposed agreement is made a part hereof, it is AGREED TO and

ORDERED, that the proposed agreement 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 this Order shall be effective upon issuance by the Board, which may be accomplished by mailing, by first class mail, a copy of this Order to Respondent at the address set forth in this agreement or to Respondent's attorney, or transmission via facsimile to Respondent or Respondent's attorney, whichever is earliest.

DATED: 10/26/98

Patrick F. Carone, M.D.

PATRICK F. CARONE, M.D., M.P.H.
Chair
State Board for Professional
Medical Conduct

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

-----X

IN THE MATTER : STATEMENT
OF : OF
LOUIS HERTZ, M.D. : CHARGES

-----X

LOUIS HERTZ, M.D., the Respondent, was authorized to practice medicine in New York State on August 14, 1949 by the issuance of license number 049099 by the New York State Education Department. The Respondent is not currently registered with the New York State Education Department to practice medicine.

FACTUAL ALLEGATIONS

1. On or about October 17, 1997, the Division of Medical Quality, Medical Board of California, Decision on File No. 02-97-76101 became effective adopting a Stipulation for Surrender of the license of Louis Hertz, M.D. The Stipulation for Surrender of License provided that the Respondent understood that the nature of the matters raised by the investigation concerned improper prescribing practices and inability to practice medicine safely resulting from impairment due to mental illness or physical illness affecting competency.

FIRST SPECIFICATION

HAVING SURRENDERED HER LICENSE

Respondent is charged with professional misconduct under N.Y. Educ. Law §6530(9)(d) by reason of her having voluntarily or otherwise surrendered her license after a disciplinary action was instituted by a duly authorized professional disciplinary agency of another state, where the conduct resulting in the surrender of the license would, if committed in New York State, constitute professional misconduct under the laws of New York State, in that Petitioner charges:

1. The facts in paragraph 1.

DATED: *October 15*, 1998
Albany, New York

Peter D. Van Buren
PETER D. VAN BUREN
Deputy Counsel
Bureau of Professional
Medical Conduct