



New York State Board for Professional Medical Conduct

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

Antonia C. Novello, M.D., M.P.H., Dr. P.H.
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NYS Department of Health*

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*Executive Deputy Commissioner
NYS Department of Health*

Dennis J. Graziano, Director
Office of Professional Medical Conduct

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Vice Chair

Ansel R. Marks, M.D., J.D.
Executive Secretary

February 25, 2003

CERTIFIED MAIL-RETURN RECEIPT REQUESTED

Walter L. Hogan, Jr., M.D.
700 Lilac Drive
Santa Barbara, CA 93108

RE: License No. 080772

Dear Dr. Hogan:

Enclosed please find Order #BPMC 03-45 of the New York State Board for Professional Medical Conduct. This Order and any penalty provided therein goes into effect February 25, 2003.

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 to 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: Henry Lewin, Esq.
Lewin & Levin
11377 West Olympic Blvd.
Fifth Floor
Los Angeles, CA 90064-1683

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

IN THE MATTER

SURRENDER

OF

ORDER

**WALTER L. HOGAN, JR., M.D.
CO-02-11-5908-A**

BPMC No. 03-45

WALTER L. HOGAN, JR., M.D., says:

On or about June 6, 1958, I was licensed to practice medicine as a physician in the State of New York having been issued License No. 080772 by the New York State Education Department. I currently reside at 700 Lilac Dr., Santa Barbara, CA 93108.

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 the New York State Board for Professional Medical Conduct has charged me with two (2) specifications of professional misconduct as set forth in the Statement of Charges, annexed hereto, made a part hereof, and marked as Exhibit "A."

I have not practiced medicine in New York state since 1979, and I do not intend to return to practice medicine in New York state. I am applying, therefore, 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 two (2) specifications 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 Board grants my Application, as set forth herein, an order of the Chairperson of the Board shall be issued in accordance with same 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 first.

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

Date: 1/31, 2003

Walter L. Hogan, Jr.
WALTER L. HOGAN, JR., M.D.
Respondent

AGREED TO:

Date: 2/04/03, 2003

Henry Lewin
HENRY LEWIN, ESQ.
Attorney for Respondent

Date: 05 February, 2003

Robert Bogan
ROBERT BOGAN
Associate Counsel
Bureau of Professional Medical Conduct

Date: 06 February, 2003

Dennis J. Graziano
DENNIS J. GRAZIANO
Director, Office of Professional
Medical Conduct

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

IN THE MATTER
OF
WALTER L. HOGAN, JR., M.D.
CO-02-11-5908-A

STATEMENT
OF
CHARGES

WALTER L. HOGAN, JR., M.D., the Respondent, was authorized to practice medicine in New York state on June 6, 1958, by the issuance of license number 080772 by the New York State Education Department.

FACTUAL ALLEGATIONS

A. On or about September 23, 2002, the Medical Board of California, (hereinafter "California Board"), by a Decision and Order, Publicly Reprimand Respondent's license to practice medicine, required him to successfully complete an Ethics Course and a Medical Record Keeping Course, and to pay \$2,500.00 costs of investigation and prosecution, based on failure to maintain adequate and current pre-1998 records.

B. The conduct resulting in the California Board disciplinary action 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 (32) (failure to maintain a record for each patient which accurately reflects the evaluation and treatment of the patient).

SPECIFICATIONS

FIRST 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 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:


1. The facts in Paragraphs A and/or B.

SECOND SPECIFICATION

Respondent violated New York Education Law §6530(9)(d) by having disciplinary action taken by a duly authorized professional disciplinary agency of another state, where the conduct resulting in the disciplinary action 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 Paragraphs A and/or B.

DATED: *Feb. 4*, 2003
Albany, New York


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

ORDER

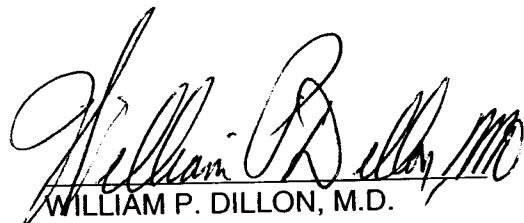
Upon the proposed agreement of **WALTER L. HOGAN, JR., M.D.** to Surrender his license as a physician in the State of New York, which proposed agreement is made a part hereof, it is AGREED TO and

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

ORDERED, that the name of the 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 to Respondent at the addresses set forth in this agreement or to Respondent's attorney or upon transmission via facsimile to Respondent or Respondent's attorney, whichever is earliest.

DATED: 2/24, 2003



WILLIAM P. DILLON, M.D.

Chair

State Board for Professional
Medical Conduct