



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

July 28, 1998

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

Alexander Broden, M.D.
11 Hillview Drive
Scarsdale, New York 10583

RE: License No. 083299

Dear Dr. Broden:

Enclosed please find Order #BPMC 98-155 of the New York State Board for Professional Medical Conduct. This Order and any penalty provided therein goes into effect **July 28, 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

If the penalty imposed by the Order is a fine, please write the check payable to the New York State Department of Health. Noting the BPMC Order number on your remittance will assist in proper crediting. Payments should be directed to the following address:

Bureau of Accounts Management
New York State Department of Health
Corning Tower, Room 1315
Empire State Plaza
Albany, New York 12237

Sincerely,



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

Enclosure

cc: William Wood, Esq.
Wood & Scher
The Harwood Building
Scarsdale, New York 10483

Steven J. Masef, Esq.

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

**IN THE MATTER
OF
ALEXANDER BRODEN, M.D.**

**CONSENT
AGREEMENT
AND
ORDER
BPMC #98-155**

**STATE OF NEW YORK)
 ss.:
COUNTY OF WESTCHESTER)**

ALEXANDER BRODEN, M.D., being duly sworn, deposes and says:

That on or about October 7, 1959, I was licensed to practice as a physician in the State of New York, having been issued License No. 083299 by the New York State Education Department.

My current address is 11 Hillview Drive, Scarsdale, N.Y., 10583, and I will advise the Director of the Office of Professional Medical Conduct of any change of my address.

I understand that the New York State Board for Professional Medical Conduct has charged me with three specifications of professional misconduct.

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

I cannot successfully defend against the specification labeled second in the Statement of Charges, in full satisfaction of all of the charges against me. I hereby agree to the following penalty:

- a. Censure and Reprimand**
- b. A fine of FIVE THOUSAND DOLLARS (\$5,000.00) payable within thirty (30) days from the date of the Order approving this consent.**

I further agree that the Consent Order for which I hereby apply shall impose a condition that, except during periods of actual

suspension, I maintain current registration of my license with the New York State Education Department Division of Professional Licensing Services, and pay all registration fees. This condition shall be in effect beginning thirty days after the effective date of the Consent Order and continuing until the full term of the Order has run, and until any associated period of probation and all probation terms have been completed and satisfied. I hereby stipulate that any failure by me to comply with such condition shall constitute misconduct as defined by New York State Education Law §6530(29)(McKinney Supp 1998).

I agree that in the event I am charged with professional misconduct in the future, this agreement and order shall be admitted into evidence in that proceeding.

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

I understand that, in the event that this Application is not granted by the Board, 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 Board shall be made without prejudice to the continuance of any disciplinary proceeding and the final determination by the Board 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. I agree that such order shall be effective upon issuance by the

Board, which may be accomplished by mailing, by first class mail, a copy of the Consent Order to me at the address set forth in this agreement, or to my attorney, or upon transmission via facsimile to me or my attorney, whichever is earliest.


I am making this Application of my own free will and accord and not under duress, compulsion or restraint of any kind or manner. In consideration of the value to me of the acceptance by the Board of this Application, allowing me to resolve this matter without the various risks and burdens of a hearing on the merits, I knowingly waive any right I may have to contest the Consent Order for which I hereby apply, whether administratively or judicially, and ask that the Application be granted.

AFFIRMED:
DATED 7/14/98


ALEXANDER BRODEN, M.D.
RESPONDENT

The undersigned agree to the attached application of the Respondent and to the proposed penalty based on the terms and conditions thereof.

DATE: 7/14/98


WILLIAM WOOD, ESQ.
Attorney for Respondent

DATE: 7/16/98


Steven J. Maser
Assistant Counsel
Bureau of Professional
Medical Conduct

DATE: July 21, 1998


ANNE F. SAILE
Director
Office of Professional
Medical Conduct

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

IN THE MATTER
OF
ALEXANDER BRODEN, M.D.

CONSENT
ORDER

Upon the proposed agreement of Alexander Broden, M.D. (Respondent) for Consent Order, which application is made a part hereof, it is agreed to and ORDERED, that the application and the provisions thereof are hereby adopted and so ORDERED, and 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 the Consent Order to Respondent at the address set forth in this agreement or to Respondent's attorney by certified mail, or upon transmission via facsimile to Respondent or Respondent's attorney, whichever is earliest.

SO ORDERED.

DATED

July 23, 1998

Patrick F. Carone, M.D., M.P.H.
PATRICK F. CARONE, M.D., M.P.H.
Chairperson
State Board for Professional
Medical Conduct

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

Exhibit A

IN THE MATTER
OF
ALEXANDER BRODEN, M.D.

STATEMENT
OF
CHARGES

Alexander Broden, M.D., the Respondent, was authorized to practice medicine in New York State on or about October 7, 1959, by the issuance of license number 083299 by the New York State Education Department.

FACTUAL ALLEGATIONS

- A. Between approximately February, 1990 and June, 1996, Respondent treated Patient A (identified in attached Appendix A) at his office located at 11 Hillview Drive, Scarsdale, N.Y., 10583 for post traumatic stress disorder characterized by depression and anxiety.
1. Respondent knowingly and intentionally made fraudulent statements in a letter to American International Group Claims Services dated June 20, 1996 that Patient A's psychiatric problems began on October 20, 1994, when, in fact, Respondent began treating Patient A on or about February 6, 1990 for post traumatic stress disorder characterized by depression and anxiety. Respondent knew his report was false when he made it.
 2. Throughout the period Respondent failed to properly note the dates of treatment for Patient A.

SPECIFICATION OF CHARGES**FIRST SPECIFICATION
FRAUDULENT PRACTICE**

Respondent is charged with committing professional misconduct as defined by N.Y. Educ. Law §6530(2)(McKinney Supp. 1998) by practicing the profession of medicine fraudulently as alleged in the facts of the following:

1. Paragraphs A and A1.

**SECOND SPECIFICATION
FALSE REPORT**

Respondent is charged with committing professional misconduct as defined in N.Y. Educ. Law §6530(21)(McKinney Supp. 1998) by willfully making or filing a false report as alleged in the facts of the following:

2. Paragraphs A and A1.

THIRD SPECIFICATION
FAILURE TO MAINTAIN RECORDS

Respondent is charged with committing professional misconduct as defined in N.Y. Educ. Law §6530(32)(McKinney Supp. 1998) by failing to maintain a record for each patient which accurately reflects the evaluation and treatment of the patient as alleged in the facts of:

3. Paragraphs A and A2.

DATED: July , 1998
New York, New York

ROY NEMERSON
Deputy Counsel
Bureau of Professional
Medical Conduct