



**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

December 1, 1994

**CERTIFIED MAIL-RETURN RECEIPT REQUESTED**

Jose Bory Savigne, M.D.  
85 Livingston Street  
Brooklyn, New York 11201

RE: License No. 084893  
Effective date: 12/08/94

Dear Dr. Savigne:

Enclosed please find Order #BPMC 94-250 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 Director  
Board for Professional Medical Conduct

Enclosure

cc: Daniel Guenzburger, Esq.

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

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IN THE MATTER :  
OF : ORDER  
JOSEPH BORY SAVIGNE, M.D. : BMC #94-250

-----X

Upon the Application of JOSEPH BORY SAVIGNE, M.D.  
(Respondent) to Surrender his or her 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

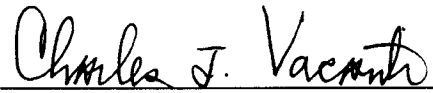
ORDERED, that the name of Respondent be stricken from  
the roster of physicians in the State of New York; it is further

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: 28 November 1994

  
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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

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          IN THE MATTER  
  
                  OF  
  
JOSE BORY SAVIGNE, M.D.

:  
: **APPLICATION TO**  
:  
: **SURRENDER**  
:  
: **LICENSE**  
:

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STATE OF NEW YORK     )  
                          ss.:  
COUNTY OF KINGS     )

JOSE BORY SAVIGNE, M.D., being duly sworn, deposes and says:

On or about September 26, 1961, I was licensed to practice as a physician in the State of New York having been issued License No. 84893 by the New York State Education Department.

I am not currently registered with the New York State Education Department to practice as a physician in the State of New York. I currently reside at 85 Livingston Street, Apt. 7D, Brooklyn, New York 11201.

I understand that I have been charged with six specifications 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 admit guilt to the six specifications of professional misconduct set forth in the Statement of Charges.

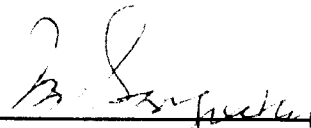
I hereby make this application to the State Board for Professional Medical Conduct and request that it be granted.

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.

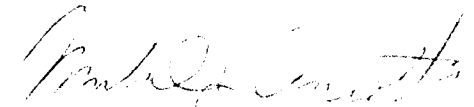
I am making this Application of my own free will and accord and not under duress, compulsion, or restraint of any kind or manner.



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JOSEPH BORY SAVIGNE, M.D.  
Respondent

Sworn to before me this  
3rd day of NOV, 1994



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NOTARY PUBLIC

MICHAEL J. CINCOTTA  
Notary Public, State of New York  
No. 24-4968189  
Qualified in Kings County  
Commission Expires June 18, 1995

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

-----X  
 IN THE MATTER : STATEMENT  
 OF : OF  
 JOSE BORY SAVIGNE, M.D. : CHARGES  
 -----X

JOSE BORY SAVIGNE, M.D., the Respondent, was authorized to practice medicine in New York State on January 11, 1961 by the issuance of license number 84893 by the New York State Education Department. The Respondent has not been registered with the New York State Education Department to practice medicine since December 31, 1990.

FACTUAL ALLEGATIONS

- A. On or about February 5, 1992, Patient A, an investigator for the Office of the Inspector General of the Metropolitan Transit Authority, held himself out to Respondent as a New York City Transit Authority ("NYCTA") employee at Respondent's office located at 723 Saratoga Avenue, Brooklyn, New York. (Patient A and the other patient in the Statement of Charges are identified in the Appendix.)
1. Respondent knowingly misrepresented on a NYCTA Application for Leave of Absence that on or about and

between February 5, 1992 and February 7, 1992 Patient A had an illness that incapacitated him and made him incapable of performing his duties for the NYCTA when, in fact, Respondent knew that Patient A had no such illness.

2. Respondent failed to maintain a record which accurately reflected the evaluation and treatment of Patient A.

B. On or about October 16, 1991 Patient B, an investigator, held himself out to Respondent as a NYCTA employee at Respondent's office.

1. Respondent knowingly misrepresented on a NYCTA Application for Leave of Absence that on or about and between October 14, 1991 and October 16, 1991, Patient B had an illness that incapacitated him and made him incapable of performing his duties for the NYCTA when, in fact, Respondent knew that Patient B had no such illness.
2. Respondent failed to maintain a record which accurately reflected the evaluation and treatment of Patient B.

**SPECIFICATION OF CHARGES****FIRST THROUGH SECOND SPECIFICATIONS****FRAUDULENT PRACTICE**

Respondent is charged with professional misconduct by reason of practicing the profession fraudulently within the meaning of N.Y. Educ. Law Section 6530(2) (McKinney Supp. 1994), in that Petitioner charges:

- A. The facts in paragraphs A and A1.
- B. The facts in paragraphs B and B1.

**THIRD THROUGH FOURTH SPECIFICATIONS****FILING A FALSE REPORT**

Respondent is charged with professional misconduct pursuant to N.Y. Educ. Law Section 6530(21) (McKinney Supp. 1994), by reason of willfully inducing another person to file a false report, in that Petitioner charges:

- C. The facts in paragraphs A and A1.
- D. The facts in paragraphs B and B1.



FIFTH THROUGH SIXTH SPECIFICATIONS  
FAILING TO MAINTAIN AN ADEQUATE RECORD

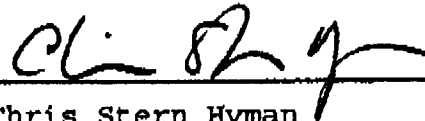
Respondent is charged with professional misconduct pursuant to N.Y. Educ. Law Section 6530(32) (McKinney Supp. 1994), by failing to maintain a record for each patient which accurately reflects the evaluation and treatment of the patient, in that Petitioner charges:

E. The facts in paragraphs A and A2.

F. The facts in paragraphs B and B2.

DATED: New York, New York

*September 27, 1994*



Chris Stern Hyman  
Counsel  
Bureau of Professional Medical  
Conduct