



Board for Professional Medical Conduct

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

March 29, 1995

C. Maynard Guest, M.D.
Executive Secretary

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

Robert E. Stam, M.D.
500 Memorial Circle
Suite C
Ormond Beach, Florida 32174

RE: License No. 090077
Effective Date: 04/05/95

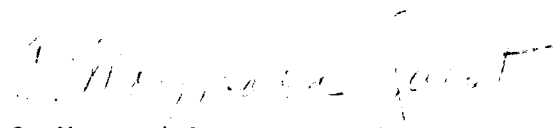
Dear Dr. Stam:

Enclosed please find Order #BPMC 95-59 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: Michael Hiser, Esq.

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

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IN THE MATTER :
OF : ORDER
ROBERT E. STAM, M.D. : BPMC #95-59

-----X

Upon the Application of ROBERT E. STAM, 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

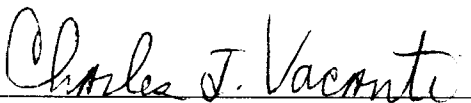
ORDERED, that the application and the provisions thereof are hereby adopted; it is further

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

ORDERED, that 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: 27 March 1995



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

-----X

IN THE MATTER : APPLICATION TO
OF : SURRENDER
ROBERT E. STAM, M.D. : LICENSE

-----X

STATE OF FLORIDA)

ss.:

COUNTY OF *Volusia*)

Robert E. Stam, M.D., being duly sworn, deposes and says:

On or about February 25, 1963, I was licensed to practice medicine as a physician in the State of New York having been issued License No. 90077 by the New York State Education Department.

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".

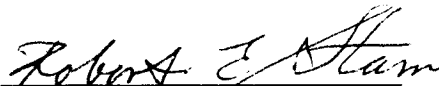
I am applying to the State Board for Professional Medical Conduct for permission to surrender my license as a physician in the State of New York on the grounds that I agree not to contest the allegations.

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.


ROBERT E. STAM, M.D.
Respondent

Sworn to before me this
16 day of 3, 1995


NOTARY PUBLIC

Bernadette J. Markert
0156461

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

-----X

IN THE MATTER : APPLICATION TO
OF : SURRENDER
ROBERT E. STAM, M.D. : LICENSE

-----X

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

Date: 3/16, 1995

Robert E. Stam
ROBERT E. STAM, M.D.
Respondent

Date: _____, 1995

NONE
Attorney for Respondent

Date: MARCH 22, 1995

Michael A. Hiser
MICHAEL A. HISER
Associate Counsel
Bureau of Professional
Medical Conduct

Date: March 23 1995

Kathleen M. Tanner
KATHLEEN M. TANNER
Director, Office of
Professional Medical Conduct

Date: 22 March, 1995

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

-----X

IN THE MATTER : STATEMENT
OF : OF
ROBERT E. STAM, M.D. : CHARGES

-----X

ROBERT E. STAM, M.D., the Respondent, was authorized to practice medicine in New York State on February 25, 1963, by the issuance of license number 90077 by the New York State Education Department.

FACTUAL ALLEGATIONS

A. On or about April 1, 1992, the Board of Medicine of the State of Florida, Department of Business and Professional Regulation ("Florida Board of Medicine") issued an Amended administrative complaint in Case No. 90-13295 against the Respondent. The amended complaint alleged that Respondent, a surgeon, provided medical care to a patient identified as "Patient #1" on or about March 5, 1990. The amended complaint further alleged that Respondent practiced medicine below the standard of care in that Respondent inappropriately failed to administer prophylactic doses of Heparin or other appropriate remedies to minimize the formation of blood clots which could lead to pulmonary embolus, and by failing to provide adequate nutrition to Patient #1 during his hospitalization.

B. Based on the preceding, Respondent was alleged to have violated Florida Statutes §458.331(1)(t), i.e., gross or repeated

malpractice or the failure to practice medicine with that level of care, skill, and treatment which is recognized by a reasonably prudent similar physician as being acceptable under similar conditions and circumstances.

C. On or about September 11, 1992, Respondent entered into a Consent Agreement in Case No. 90-13295 with the Florida Board of Medicine. In the Consent Agreement, Respondent agreed not to violate Florida Statutes chapters 455, 458, and 893, or the rules promulgated pursuant to those chapters. Respondent also agreed to pay a \$3,000.00 fine, and to receive a reprimand. Finally, Respondent agreed to attend 50 hours of Category I Continuing Medical Education courses in two specific areas of gastrointestinal surgery, all to be completed within one year of the date of the Consent Order.

D. On or about December 4, 1992, the Florida Board of Medicine issued a Final Order in Case No. 90-13295. The Final Order adopted the Consent as proposed.

E. The conduct resulting in the disciplinary action taken by the Florida Board of Medicine involving the license of the Respondent would, if committed in New York State, constitute professional misconduct under the laws of New York State, specifically N.Y. Educ. Law §6530(3) (McKinney Supp. 1995) (practicing the profession with negligence on more than one occasion); and/or N.Y. Educ. Law §6530(4) (McKinney Supp. 1995) (practicing the profession with gross negligence on a particular occasion); and/or N.Y. Educ. Law §6530(5) (McKinney Supp. 1995) (practicing the profession with incompetence on more than one occasion); and/or N.Y. Educ. Law §6530(6) (McKinney Supp. 1995)


(practicing the profession with gross incompetence on a particular occasion).

SPECIFICATION OF MISCONDUCT
HAVING DISCIPLINARY ACTION TAKEN

Respondent is charged with having disciplinary action taken by a duly authorized professional disciplinary agency of another state, where the conduct resulting in the disciplinary action involving Respondent's license would, if committed in New York State, constitute professional misconduct under the laws of New York State, within the meaning of N.Y. Educ. Law §6530(9)(d) (McKinney Supp. 1995), in that Petitioner charges:

1. The facts in Paragraphs A, B, C, D and/or E.

DATED: *March 6*, 1995
Albany, New York


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