



**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

November 21, 1997

**CERTIFIED MAIL-RETURN RECEIPT REQUESTED**

Ian Campbell Cree, M.D.  
PO Box 245  
Barrington Passage  
Nova Scotia, Canada B0WIGO

RE: License No. 097364

Dear Dr. Cree:

Enclosed please find Order #BPMC 97-283 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  
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: Thomas O'Malley, Esq.

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

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IN THE MATTER : SURRENDER  
OF : ORDER  
IAN CAMPBELL CREE, M.D. : BPMC # 97-283  
:  
-----X

IAN CAMPBELL CREE, M.D., says:

On or about January 1966, I was licensed to practice medicine as a physician in the State of New York having been issued License No. 097364 by the New York State Education Department.

My current <sup>mailing</sup> address is PO Box 245 Barrington Passage, Nova Scotia, Canada and I will advise the Director of the Office of Professional Medical Conduct of any change of my address.

I am 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 voluntarily surrender my license as a physician in the State of New York on the grounds that I do not wish to contest the allegations against me.

I hereby agree not to contest the allegations and one 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 am making this agreement of my own free will and accord and not under duress, compulsion, or restraint of any kind or manner.

*Ian Campbell Cree*  
IAN CAMPBELL CREE, M.D.  
Respondent

Subscribed before me this  
30<sup>th</sup> day of October, 1997

*Gordon Kupperstein*  
NOTARY PUBLIC  
GORDON KUPPERSTEIN  
Notary Public, State of New York  
No. 02KU5069086  
Qualified in New York County  
Commission Expires 11/2/98

AGREED TO:

Date: N/A, 1997

N/A  
Esq.  
Attorney for Respondent

Date: November 5, 1997

*Thomas K. O'Malley*  
THOMAS K. O'MALLEY  
Associate Counsel  
Bureau of Professional  
Medical Conduct

Date: November 11, 1997

*Anne F. Saile*  
ANNE F. SAILE  
Director, Office of  
Professional Medical Conduct

ORDER

Upon the proposed agreement of IAN CAMPBELL CREE, 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 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.

DATED: 11/17/97

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  
IAN CAMPBELL CREE, M.D. : CHARGES

-----X

IAN CAMPBELL CREE, M.D., the Respondent, was authorized to practice medicine in New York State on or about January 1966, by the issuance of license number 097364 by the New York State Education Department. The Respondent is currently registered with the New York State Education Department. Respondent's current address is PO Box 245 Barrington Passage, Nova Scotia, Canada BOW1G0.

**FACTUAL ALLEGATIONS**

A. On or about April 3, 1995, Respondent who is board certified in general surgery, operated on Patient A for a *repair* of a ventral hernia. The overall management of care for *said* patient deviated from the recognized standard of care in *that the* patient was, at the time, not a good candidate for surgery.

**SPECIFICATION OF MISCONDUCT**


FIRST SPECIFICATION  
GROSS NEGLIGENCE

Respondent is charged with professional misconduct by reason of practicing the profession with gross negligence in violation of N.Y. Educ. Law §6530(4) (McKinney Supp.1997) in that Petitioner charges:

1. The allegations in paragraph A.

DATED: *November 5*, 1997

Albany, New York

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