



**Board for Professional Medical Conduct**

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

Barbara A. DeBuono, M.D., M.P.H.  
Commissioner

C. Maynard Guest, M.D.  
Executive Secretary

June 23, 1995

**CERTIFIED MAIL - RETURN RECEIPT REQUESTED**

John R. Hubbard, M.D.  
205-B Kino Springs Drive  
Nogales, Arizona 85621

RE: License No. 097831

Effective Date: 06/30/95

Dear Dr. Hubbard:

Enclosed please find Order #BPMC 95-131 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 of 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: Catherine Cholakis, Esq.

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

-----X

IN THE MATTER :  
OF : ORDER  
JOHN ROLAND HUBBARD, M.D. : BPMC #95-131

-----X

Upon the Application of JOHN ROLAND HUBBARD, M.D. 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: 19 June 1995

Charles J. Vacanti

CHARLES J. VACANTI, M.D.  
Chairperson  
State Board for Professional  
Medical Conduct

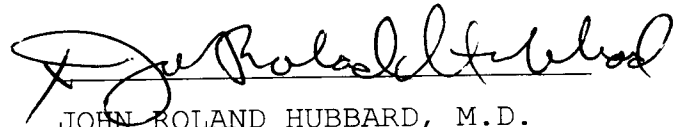


*John L. Lohr*  
*as*  
*discussed*  
*Ms. Cholakis*  
*6/7 -*

4. I hereby admit my guilt to Specifications one through ~~ten~~ *five, seven, nine and ten* which charge that I have been found guilty of improper professional practice or professional misconduct by another state, had my license to practice medicine revoked in the state of Arizona, violated the terms of probation imposed upon me in the state of New York and failed to respond to a written communication from the New York State Department of Health.
  
5. I hereby make this Application to Surrender License to the State Board for Professional Medical Conduct and request that it be granted.
  
6. 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.

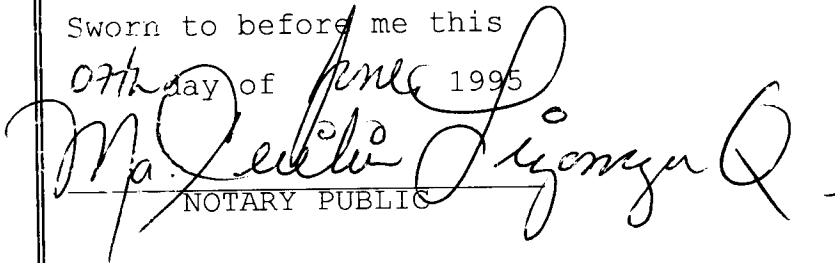
7. I agree that in the event the State Board for Professional Medical Conduct grants my application, an order shall be issued striking my name from the roster of physicians in the State of New York without further notice to me.

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



JOHN ROLAND HUBBARD, M.D.  
Respondent

Sworn to before me this  
07th day of June 1995




NOTARY PUBLIC


Notary Public State of New York

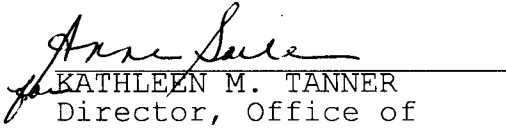
STATE OF NEW YORK : DEPARTMENT OF HEALTH  
STATE BOARD FOR PROFESSIONAL MEDICAL CONDUCT


-----X  
IN THE MATTER : APPLICATION TO  
OF : SURRENDER  
JOHN ROLAND HUBBARD, M.D. : LICENSE  
-----X

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

Date: 6-2-95, 1995  
  
JOHN ROLAND HUBBARD, M.D.  
Respondent

Date: 6-6, 1995  
  
CATHERINE CHOLAKIS  
Assistant Counsel  
Bureau of Professional  
Medical Conduct

Date: 6-16, 1995  
  
KATHLEEN M. TANNER  
Director, Office of  
Professional Medical Conduct

Date: 19 June 1994  
  
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  
JOHN ROLAND HUBBARD, M.D. : CHARGES  
-----X

JOHN ROLAND HUBBARD, M.D., the Respondent, was authorized to practice medicine in New York State on October 26, 1966 by the issuance of license number 097831 by the New York State Education Department. The Respondent is currently registered with the New York State Education Department, with a registration address of 5177 Kings Corners Road, Romulus, New York 14541.

**FACTUAL ALLEGATIONS**

- A. The Arizona Board of Medical Examiners (hereinafter the "Arizona Board"), by Order dated July 16, 1992 found Respondent guilty of professional misconduct as set forth below.
1. The Arizona Board found Respondent guilty of unprofessional conduct pursuant to A.R.S. §32-1401(21)(q), conduct or practice which is or might be harmful or dangerous to the health of the patient or the public, and A.R.S. §32-1401(21)(e), failing or refusing to maintain adequate records on a patient. Said misconduct was found in Respondent's treatment of four separate patients.
  2. As a result, Respondent was placed on probation for a period of two years, was prohibited from prescribing or dispensing Schedule II, III, or IV controlled substances, and was ordered to attend and complete a one-

month mini-residency in the pharmacological management of chronic pain.

3. The conduct upon which the Arizona Board found Respondent guilty would, if committed in New York State, constitute professional misconduct under 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(5) (McKinney Supp. 1995) [practicing the profession with incompetence on more than one occasion] and/or N.Y. Educ. Law §6530(32) (McKinney Supp. 1995) [failing to maintain a record for each patient which accurately reflects the evaluation and treatment of the patient].

B. By Consent Order dated June 21, 1994, Respondent surrendered for "cancellation with cause" his license to practice medicine in Arizona. As part of said Consent Order, Respondent was found guilty of professional misconduct as set forth below.

1. The Arizona Board found Respondent guilty of unprofessional conduct in violation of A.R.S. §32-1401(24)(e), failing or refusing to maintain adequate records on a patient, A.R.S. §32-1401(24)(j), prescribing, dispensing or administering any controlled substance or prescription-only drug for other than accepted therapeutic purposes, A.R.S. §32-1401(24)(q), violating a formal order of probation, consent agreement or stipulation issued or entered into by the board under the provisions of this chapter, A.R.S. §32-1401(24)(s), violating or attempting to violate any provision of this chapter.



2. The conduct upon which the Arizona Board found Respondent guilty would, if committed in New York State, constitute professional misconduct under N.Y. Educ. Law §6530(32) (McKinney Supp. 1995) [failing to maintain a record for each patient which accurately reflects the evaluation and treatment of the patient] and/or N.Y. Educ. Law §6530(2) (McKinney Supp. 1995)[practicing the profession fraudulently] and/or N.Y. Educ. Law §6530(29) (McKinney Supp. 1995)[violating any term of probation or condition or limitation imposed on the licensee].

C. By Order No. 4020, dated June 29, 1985, Respondent's application to surrender his license to practice medicine in the State of New York was granted. As part of Respondent's application, he admitted guilt to four of seven charges against him in New York State, as specified below:

1. Respondent admitted to practicing the profession while the ability to practice was impaired by alcohol, drugs, physical disability or mental disability.
2. Respondent admitted having been convicted of committing an act constituting a crime under New York State Law.
3. Respondent admitted being convicted of committing an act constituting a crime under the law of another jurisdiction and which, if committed within the State, would have constituted a crime under New York State Law
4. Respondent admitted guilt to a charge of professional misconduct by reason of his being habitually drunk.

D. By an Order dated March 20, 1989, Respondent's license to practice medicine in the State of New York was restored, Order No. 4020 was stayed and Respondent

was placed on probation for a period of five years.

- E. Respondent failed to inform the New York State Department of Health of his address changes throughout his probation, in violation of paragraph #2 of the his terms of probation.
- F. Respondent failed to remain alcohol and drug free, in violation of paragraph # 5 of his terms of probation.
- G. Respondent failed to conduct himself in all ways in a manner befitting his professional status, and conform fully to the moral and professional standards of conduct imposed by law and by his profession, in violation of paragraph #1 of his terms of probation.
- H. Respondent failed to submit to unannounced tests of his blood and/or urine for the presence of drugs or alcohol, in violation of paragraph #8 of his terms of probation.
- I. Respondent failed to respond within thirty days to written communications from the Department of Health in violation of N.Y. Educ. Law §6530 (28) (McKinney Supp. 1995).

**SPECIFICATION OF CHARGES**

**FIRST AND SECOND SPECIFICATIONS**

**HAVING BEEN FOUND GUILTY OF IMPROPER  
PROFESSIONAL PRACTICE OR PROFESSIONAL MISCONDUCT**

Respondent is charged with professional misconduct under N.Y. Educ. Law §6530(9)(b) (McKinney Supp. 1995) by reason of his having been found guilty of 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 A1, A2, A3.
2. The facts in paragraphs B and B1, B2.

**THIRD AND FORTH SPECIFICATIONS**  
**HAVING LICENSE TO PRACTICE MEDICINE**  
**REVOKED IN ANOTHER STATE**

Respondent is charged with professional misconduct under N.Y. Educ. Law §6530(9)(d) (McKinney Supp. 1995) by reason of his having his license to practice medicine revoked, suspended or other disciplinary action taken, where the conduct resulting in the revocation, suspension or other disciplinary action would, if committed in New York State, constitute professional misconduct under the laws of New York State, in that Petitioner charges:

3. The facts in paragraphs A and A1, A2, A3.
4. The facts in paragraphs B and B1, B2.

**FIFTH THROUGH EIGHTH SPECIFICATIONS**  
**VIOLATING ANY TERM OF PROBATION**

Respondent is charged with professional misconduct under N.Y. Educ. Law §6530 (29) (McKinney Supp. 1995) by reason of his violating a term of probation imposed upon him pursuant to section two hundred thirty of the public health law, in that Petitioner charges:

5. The facts in paragraph E.
6. The facts in paragraph F.

7. The facts in paragraph G.
8. The facts in paragraph H.
9. The facts in paragraph I.

**TENTH SPECIFICATION**  
**FAILING TO RESPOND TO WRITTEN COMMUNICATION**  
**FROM THE DEPARTMENT OF HEALTH**

Respondent is charged with professional misconduct under N.Y. Educ. Law §6530 (28) (McKinney Supp. 1995) by reason of his failing to respond within thirty days to written communications from the department of health, in that Petitioner charges:

10. The facts in paragraph I.

DATED: *June 12*, 1995  
Albany, New York

*Peter D. Van Buren*  
PETER D. VAN BUREN  
Deputy Counsel  
Bureau of Professional  
Medical Conduct