



Mark R. Chassin, M.D., M.P.P., M.P.H.  
Commissioner

C. Maynard Guest, M.D.  
Executive Secretary

April 1, 1993

**CERTIFIED MAIL-RETURN RECEIPT REQUESTED**

Gerald Hoffman, M.D.  
12 Tennis Place  
Forest Hills, New York 11375

RE: License No. 098258

Effective Date: 4/8/93

Dear Dr. Hoffman:

Enclosed please find Order #BPMC 93-47 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 12237-0614

Sincerely,

C. Maynard Guest, M.D.  
Executive Secretary  
Board for Professional Medical Conduct

Enclosure

cc: Kevin D. Porter, Esq.  
Bower and Gardner  
110 East 59th Street  
New York, New York 10022-1393

Ralph Bavaro, Esq.

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

-----X  
IN THE MATTER :  
OF : ORDER  
GERARD HOFFMAN, M.D. : BPMC 93-47  
-----X

Upon the application of GERARD HOFFMAN, M.D.  
(Respondent) for Consent Order, which application is made a part  
hereof, it is

ORDERED, that the application and the provisions  
thereof are hereby adopted and so ORDERED, 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 by certified mail, whichever is  
earliest.

SO ORDERED,

DATED: 29 March 1993

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 : APPLICATION  
OF : FOR  
GERARD HOFFMAN, M.D. : CONSENT  
: ORDER  
-----X

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

GERARD HOFFMAN, M.D., being duly sworn, deposes and says:  
That on or about February 1, 1967 I was licensed to  
practice as a physician in the State of New York, having been  
issued License No. 098258 by the New York State Education  
Department.

I am currently registered with the New York State  
Education Department to practice as a physician in the State of  
New York for the period January 1, 1993 through December 31,  
1994. My address is 12 Tennis Place, Forest Hills, N.Y. 11375

I understand that the New York State Board of Professional  
Medical Conduct has charged me with 3 Specifications of  
professional misconduct.

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

I admit guilt to the Third Specification in full  
satisfaction of the charges against me.

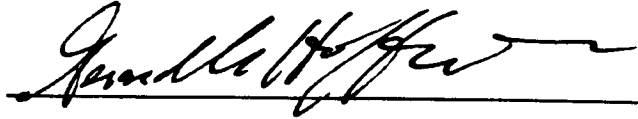
I hereby agree to the penalty of censure and reprimand.

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.

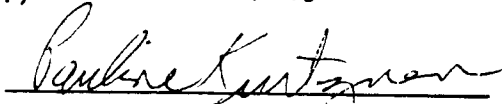
I agree that, in the event the Board grants my Application, as set forth herein, an order of the Chairperson of the Board shall be issued in accordance with same.

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



GERARD HOFFMAN, M.D.  
RESPONDENT

Sworn to before me this  
17<sup>th</sup> day of March, 1993.



NOTARY PUBLIC

*[Faint handwritten notes]*

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

-----X  
IN THE MATTER : APPLICATION  
OF : FOR  
GERARD HOFFMAN, M.D. : CONSENT  
: ORDER  
-----X

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

Date: 3/9/93

*Gerard Hoffman*  
GERARD HOFFMAN, M.D.  
RESPONDENT

Date: 3/1/93

*Kevin D. Pate*  
*Bauer & Gosh*  
ATTORNEY FOR RESPONDENT

Date: 12/1/92

*Robert A. Goss*  
*Attorney*  
COUNSEL  
BUREAU OF PROFESSIONAL  
MEDICAL CONDUCT

Date: March 31, 1993 Kathleen M. Tanner

KATHLEEN M. TANNER  
DIRECTOR  
OFFICE OF PROFESSIONAL  
MEDICAL CONDUCT

Date: 29 March 1993 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  
GERARD HOFFMAN, M.D. : CHARGES  
-----X

GERARD HOFFMAN, M.D., the Respondent, was authorized to practice medicine in New York State on February 1, 1967 by the issuance of license number 098258 by the New York State Education Department. The Respondent is currently registered with the New York State Education Department to practice medicine for the period January 1, 1991 through December 31, 1992 from 12 Tennis Place, Forest Hills, NY 11375

FACTUAL ALLEGATIONS

A. From approximately January 21, 1988 until February 27, 1989 Patient A (Patient A and all patients hereinafter mentioned are identified in Appendix A) sought medical treatment from Respondent at Respondent's office located at 12 Tennis Place, Forest Hills, New York 11375. Respondent:

1. Failed to perform and note an adequate history.
2. Failed to perform and note an adequate physical examination.



3. Failed to adequately formulate a diagnosis.
4. Failed to adequately evaluate Patient 'A' drug dependency.
5. Prescribed Valium inappropriately.
6. Prescribed Sinequan inappropriately.
7. Failed to perform and note adequate follow-up monitoring.

B. From approximately September 27, 1989 until November 9, 1989 Patient B sought medical treatment from Respondent at Respondent's office. Respondent:

1. Failed to perform and note an adequate history.
2. Failed to perform and note an adequate physical examination.
3. Failed to adequately formulate a diagnosis.
4. Inappropriately prescribed Xanax despite Patient B's history of substance abuse.
5. Failed to perform and note adequate follow-up monitoring.

C. From approximately May 16, 1989 until May 14, 1990, Patient C sought medical treatment from Respondent at Respondent's office. Respondent:

1. Failed to perform and note an adequate history.
2. Failed to perform and note an adequate physical examination.

3. Failed to adequately formulate a diagnosis.
  4. Prescribed Valium inappropriately.
  5. Prescribed Xanax inappropriately.
  6. Failed to perform and note adequate follow-up monitoring.
- D. From approximately November 16, 1989 until May 8, 1990, Patient D sought medical treatment from Respondent at Respondent's office. Respondent:
1. Failed to perform and note an adequate history.
  2. Failed to perform and note an adequate physical examination.
  3. Prescribed Valium inappropriately.
  4. Failed to perform and note adequate follow-up monitoring.

#### SPECIFICATION OF CHARGES

##### FIRST SPECIFICATION

##### PRACTICING WITH NEGLIGENCE ON MORE THAN ONE OCCASION

Respondent is charged with practicing the profession with negligence on more than one occasion under N.Y. Educ. Law, Section 6530(3), (McKinney Supp. 1992), in that Petitioner charges two or more of the following:

1. The facts contained in paragraphs A and A1-A7, B and B1-B5, C and C1-C6, and/or D and D1-D4.

SECOND SPECIFICATION

PRACTICING WITH INCOMPETENCE ON MORE  
THAN ONE OCCASION

Respondent is charged with practicing the profession with incompetence on more than one occasion under N.Y. Educ. Law Section 6530(5) (McKinney Supp. 1992), in that Petitioner charges two or more of the following:

2. The facts contained in paragraphs A and A1-A7, B and B1-B5, C and C1-C6, and/or D and D1-D4.

THIRD SPECIFICATION

FAILURE TO MAINTAIN RECORDS

Respondent is charged with failing to maintain records which accurately reflected the evaluation and treatment of patients under N.Y. Educ. Law, Section 6530(32), (McKinney Supp. 1992), in that Petitioner charges:

3. The facts contained in paragraphs A and A1, A2, A7; B and B1, B2, B5; C and C1, C2, C6; and/or D and D1, D2 and D4.

DATED: New York, New York

May 28, 1992

A handwritten signature in black ink, appearing to read "C. Stern Hyman", written over a horizontal line.

CHRIS STERN HYMAN  
Counsel  
Bureau of Professional Medical  
Conduct