



New York State Board for Professional Medical Conduct

433 River Street, Suite 303 Troy, New York 12180-2299 • (518) 402-0863

Dennis P. Whalen
Executive Deputy Commissioner of Health
Anne F. Saile, Director
Office of Professional Medical Conduct
William J. Comiskey, Chief Counsel
Bureau of Professional Medical Conduct

William P. Dillon, M.D.
Chair
Denise M. Bolan, R.P.A.
Vice Chair
Ansel R. Marks, M.D., J.D.
Executive Secretary

January 11, 1999

CONFIDENTIAL

CERTIFIED MAIL-RETURN RECEIPT REQUESTED

Kuochin Liu, M.D.
1341 Fox Acres
Las Vegas, Nevada 89134-0537

RE: License No. 107879

Dear Dr. Liu:

Enclosed please find Order #BPMC 99-3 of the New York State Board for Professional Medical Conduct. This Order and any penalty provided therein goes into effect **January 11, 1999**.

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 to 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: Joel L. Daniels, Esq.
107 Delaware Avenue, Suite 1366
Buffalo, NY 14202

Kevin P. Donovan, Esq.

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

-----X
IN THE MATTER : SURRENDER
OF : ORDER
KUCHIN LIU, M.D. : BPMC # 99-3
-----X

KUCHIN LIU, M.D., says:

On or about November 17, 1970, I was licensed to practice medicine as a physician in the State of New York having been issued License No. 107879 by the New York State Education Department.

I understand that I have been charged with eight 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 an agreement to allow me to surrender my license as a physician in the State of New York and request that the Board issue this Surrender Order.

I do not contest the first specification set forth in the Statement of Charges.

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.

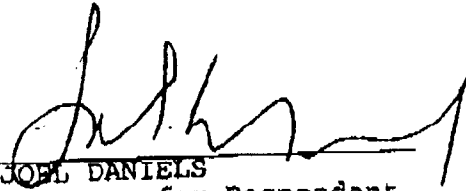
I agree that in the event the State Board for Professional Medical Conduct agrees with my proposal, this Order shall be issued striking my name from the roster of physicians in the State of New York without further notice to me. I agree that this Order shall be effective upon issuance by the Board, which may be accomplished by mailing, by first class mail, a copy of the Order to me at the address set forth above, or to my attorney, or upon transmission via facsimile to me or my attorney, whichever is earliest.

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



Respondent

AGREED TO:


Date: 12/17, 1998


JOEL DANIELS
Attorney for Respondent

Date: 12/21, 1998


KEVIN P. DONOVAN
Associate Counsel
Bureau of Professional
Medical Conduct

Date: 12/24, 1998


ANNE F. SAILE
Director, Office of
Professional Medical Conduct

ORDER


Upon the proposed agreement of KUOCHIN LIU, 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 be effective upon issuance by the Board, which may be accomplished by mailing, by first class mail, a copy of this Order to Respondent at the address set forth in this agreement or to Respondent's attorney, or upon transmissions via facsimile to Respondent or Respondent's attorney, whichever is earliest.

DATED: 1/2/99


WILLIAM P. DILLON, M.D.
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
KUOCHIN LIU, M.D. : CHARGES
-----X

KUOCHIN LIU, M.D., the Respondent, was authorized to practice medicine in New York State on or about December 23, 1970, by the issuance of license number 107879 by the New York State Education Department.

FACTUAL ALLEGATIONS

A. The Respondent treated Patient A (identified in Appendix A) during April and May, 1996. Respondent's care of Patient A did not meet acceptable standards of care in that:

1. Respondent placed a Greenfield filter in Patient A without adequate indication during a procedure on or about April 6, 1996.
2. After discharge of the patient from the April hospitalization, the Respondent evaluated the patient in his office yet failed to maintain an adequate office record of Patient A.
3. Respondent attempted surgical repair of an aneurysm on or about May 7, 1996, without adequate medical indication.
4. Respondent attempted surgical repair of an aneurysm on or about May 7, 1997, in an improper manner.
5. Respondent inappropriately repaired an injury or injuries during the surgery of May 7, 1996.
6. Respondent inappropriately or fraudulently stated in a summary of his treatment of the May 1996 hospitalization that the patient had pulmonary emboli, when that was not established.

SPECIFICATIONS OF MISCONDUCT

FIRST SPECIFICATION

PRACTICING WITH NEGLIGENCE

ON MORE THAN ONE OCCASION

The Respondent is charged with practicing the profession with negligence on more than one occasion within the meaning of N.Y. Educ. Law § 6530(3) in that Petitioner charges that the Respondent committed two or more of the following:

1. The facts in paragraphs A and A.1, A and A.2, A and A.3, A and A.4 and/or A and A.5.

SECOND SPECIFICATION

PRACTICING WITH INCOMPETENCE

ON MORE THAN ONE OCCASION

The Respondent is charged with practicing the profession with incompetence on more than one occasion within the meaning of N.Y. Educ. Law § 6530(5) in that the Petitioner charges that the Respondent committed two or more of the following:

2. The facts in paragraphs A and A.1, A and A.2, A and A.3, A and A.4 and/or A and A.5.

THIRD THROUGH FIFTH SPECIFICATIONS

PRACTICING WITH GROSS NEGLIGENCE

The Respondent is charged with practicing the profession with gross negligence on a particular occasion within the meaning of N.Y. Educ. Law § 6530(4) in that the Petitioner charges:

3. The facts in paragraphs A and A.1
4. The facts in paragraphs A and A.2.
5. The facts in paragraphs A and A.3, A and A.4 and/or A and A.5.

SIXTH SPECIFICATION

PRACTICING WITH GROSS INCOMPETENCE

Respondent is charged with practicing the profession with gross incompetence within the meaning of N.Y. Educ. Law §6530(6) in that Petitioner charges:

6. The facts in paragraphs A and A.1, A and A.2, A and A.3, A and A.4 and/or A and A.5.

SEVENTH SPECIFICATION

PRACTICING FRAUDULENTLY

The Respondent is charged with practicing the profession fraudulently within the meaning of N.Y. Educ. Law § 6530(2) in that the Petitioner charges:

7. The facts in paragraphs A and A.6.

EIGHTH SPECIFICATION


FAILING TO MAINTAIN PATIENT RECORDS

The Respondent is charged with failing to maintain a record for each patient which accurately reflects the evaluation and treatment of the patient within the meaning of N.Y. Educ. Law § 6530(32) in that the Petitioner charges:

8. The facts in paragraphs A and A.2.

DATED: *Dec 22*, 1998

Albany, New York


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