



New York State Board for Professional Medical Conduct

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

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

Charles J. Vacanti, M.D.
Chair

July 18, 1996

CERTIFIED MAIL-RETURN RECEIPT REQUESTED

Rolando M. Bueno, M.D.
513 4th Street East
Tracy, Minnesota 56175

RE: License No. 111167
Effective Date: July 25, 1996

Dear Dr. Bueno:

Enclosed please find Order #BPMC 96-169 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,

Charles Vacanti, M.D.
Chair
Board for Professional Medical Conduct

Enclosure

cc: Paul Stein, Esq.

IN THE MATTER
OF
ROLANDO M. BUENO, M.D.

SURRENDER
ORDER
BPMC #96-169

Upon the Application of ROLANDO M. BUENO, 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

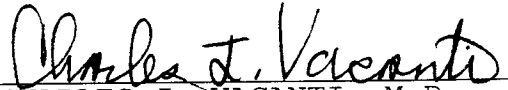
ORDERED, that the name of Respondent be stricken from the roster of physicians in the State of New York; it is further

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:

17 July 1996


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

**IN THE MATTER
OF
ROLANDO M. BUENO, M.D.**

APPLICATION TO
SURRENDER
LICENSE

STATE OF MINNESOTA)
COUNTY OF LYON) ss.:

ROLANDO M. BUENO, M.D., being duly sworn, deposes and says:

On or about January 25, 1972, I was licensed to practice medicine as a physician in the State of New York having been issued License No. 111167 by the New York State Education Department.

My current address is 513 4th Street East, Tracy, Minnesota 56175, and I will advise the Director of the Office of Professional Medical Conduct of any change of my address.

I understand that I have been charged with two 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 permission to surrender my license as a physician in the State of New York on the grounds that I admit guilt to the first and second specifications in full satisfaction of the Statement of Charges.

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. In consideration of the value to me of the acceptance by the Board of this Application, allowing me to resolve this matter without the various risks and burdens of a hearing on the merits, I knowingly waive any right I may have to contest the Surrender

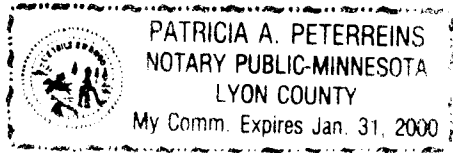
Order for which I hereby apply, whether administratively or judicially, and ask that the Application be granted.

Rolando M. Bueno

ROLANDO M. BUENO, M.D.
Respondent

Sworn to before me this
10 day of July, 1996

Patricia A. Peterreins
NOTARY PUBLIC



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

**IN THE MATTER
OF
ROLANDO M. BUENO, M.D.**

APPLICATION TO
SURRENDER
LICENSE

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

Date: 7/15, 1996 *Rolando M. Bueno*
ROLANDO M. BUENO, M.D.
Respondent

Date: _____, 1996 *Ann Saile*
Attorney for Respondent

Date: July 11, 1996 *Paul Stein*
PAUL STEIN
Associate Counsel
Bureau of Professional
Medical Conduct

Date: July 17, 1996 *Anne Saile*
ANNE F. SAILE
Acting Director
Office of Professional
Medical Conduct

Date: 17 July, 1996 *Charles J. Vacanti*
CHARLES J. VACANTI, M.D.
Chairperson
State Board for Professional
Medical Conduct

IN THE MATTER
OF
ROLANDO M. BUENO, M.D.

STATEMENT
OF
CHARGES

ROLANDO M. BUENO, M.D., the Respondent, was authorized to practice as a physician in New York State on January 25, 1972 by the issuance of license number 111167 by the New York State Education Department.

FACTUAL ALLEGATIONS

A. 1. On or about March 20, 1995, in the United States District Court for the Northern District of California, before the Honorable Marilyn Hall Patel, Respondent was sentenced on Count 1 of Indictment CR 93-0509 (Mail Fraud in violation of 18 U.S.C. sec. 1341) and on Count 5 of Indictment CR 93-0510 (Mail Fraud in violation of 18 U.S.C. sec. 1341), both of which counts he was found guilty of by way of a plea entered July 26, 1994 in the United States District Court for the Northern District of California, before the Honorable Marilyn Hall Patel, in which he admitted that he submitted charges to insurance companies for services that were not rendered. Respondent was placed on probation for a term of five years on various terms and conditions, including, inter alia:

serving the first four months of probation on home detention with electronic monitoring;

payment of a \$3,000 fine;

no employment in any position with fiduciary responsibility and no handling of money or funds of others without prior approval of probation officer.

- B. 1. On or about November 18, 1995, the Minnesota Board of Medical Practice took disciplinary action against Respondent under Minnesota Statutes sec. 147.091, subd. 1(c), (g), (k), and (q) (1994) by issuing a Stipulation and Order based on Respondent having pled guilty to two counts of mail fraud and having been sentenced, on or about March 20, 1995, in the United States District Court for the Northern District of California.
2. The above-mentioned Stipulation and Order (pp. 3-4), inter alia:
- reprimanded Respondent;
 - required that Respondent practice medicine and surgery in the State of Minnesota at a setting that has been approved in advance by the Minnesota Board;
 - prohibited Respondent from being directly involved in any aspect of the billing procedure for his patient services, while the Stipulation and Order is in effect; and
 - required that Respondent perform 500 hours of public community service work relating to the area of medicine, within two years from the date of the Stipulation and Order.

SPECIFICATIONS

FIRST SPECIFICATION

CRIMINAL CONVICTION (Federal)

Respondent is charged with committing professional misconduct as defined in N.Y. Educ. Law §6530(9)(a)(ii) (McKinney Supp. 1996) by having been convicted of committing an act constituting a crime

under federal law as alleged in the facts of the following:

1. Paragraph A1.

SECOND SPECIFICATION
HAVING BEEN FOUND GUILTY OF
PROFESSIONAL MISCONDUCT

Respondent is charged with committing professional misconduct as defined in N.Y. Educ. Law §6530(9)(b) (McKinney Supp. 1996) by having been found guilty of improper professional practice or 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, namely:


Practicing the profession fraudulently or beyond its authorized scope (N.Y. Educ. Law sec. 6530 (2) (McKinney Supp. 1996)); and/or

Being convicted of committing an act constituting a crime under federal law (N.Y. Educ. Law sec. 6530 (9) (a) (ii) (McKinney Supp. 1996))

as alleged in the facts of the following:

2. Paragraphs B1 through B2.

Dated: New York, New York
June 17, 1996



ROY NEMERSON
Deputy Counsel
Bureau of Professional
Medical Conduct