



***New York State Board for Professional Medical Conduct***

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

Antonia C. Novello, M.D., M.P.H., Dr. P.H.  
*Commissioner  
NYS Department of Health*

Dennis P. Whalen  
*Executive Deputy Commissioner  
NYS Department of Health*

Dennis J. Graziano, Director  
*Office of Professional Medical Conduct*

Kendrick A. Sears, M.D.  
*Chairman*

Michael A. Gonzalez, R.P.A.  
*Vice Chair*

Ansel R. Marks, M.D., J.D.  
*Executive Secretary*

October 26, 2005

***CERTIFIED MAIL-RETURN RECEIPT REQUESTED***

Robert Philip Schiffer, M.D.  
10305 N.W. 115th Avenue  
Reddick, FL 32686

Re: License No. 115408

Dear Dr. Schiffer:

Enclosed is a copy of Order #BPMC 05-238 of the New York State Board for Professional Medical Conduct. This order and any penalty provided therein goes into effect November 2, 2005.

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 the 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: George F. Indeste, III, JD, M.P.A., LL.M  
The Health Law Firm  
220 E. Central Parkway, Suite 2030  
Altamonte Springs, FL 32701

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

IN THE MATTER

BPMC No. #05-238

OF

CASE NO. CO-05-01-0345-A

ROBERT PHILIP SCHIFFER, M.D.  
\_\_\_\_\_ /

CONSENT AGREEMENT AND ORDER

ROBERT PHILIP SCHIFFER, M.D., states:

1. On or about January 22, 1973, I was issued License No. 1154081 by the New York State Education Department.
2. My current address is 10305 N.W. 115th Avenue, Reddick, FL 32686, and I will advise the Director of the Office of Professional Medical Conduct of any change of my address within thirty (30) days thereof.
3. I understand that the New York State Board for Professional Medical Conduct has charged me with one (1) specification of professional misconduct. A copy of the Statement of Charges is attached hereto as Exhibit "A" and made a part hereof.
4. In full satisfaction of the charges against me, I agree not to contest the specification and also agree to the following:
  - a. Pursuant to New York Public Health Law Section 230-a(6), a limitation shall be placed precluding the issuance of any license or registration to me to practice medicine in New York State;
  - b. That I shall not engage in the any practice of medicine in the State of New York, whether as a licensee, resident, holder of a

permit, or exempt person, beginning upon the effective date of the Consent Order; and

c. That I shall fully cooperate with the Office of Professional Medical Conduct (OPMC) in its administration and enforcement of this Order and in its investigation of all matters concerning me. I shall respond in a timely manner to every OPMC request for written periodic verification of my compliance with the terms of this Order. I shall respond promptly and provide all documents and information within my control, as directed by OPMC. This condition shall take effect upon the effective date of the Consent Order and will continue indefinitely.

5. I stipulate that my failure to comply with the conditions of this Order shall constitute misconduct as defined by New York State Education Law Section 6530(29).

6. I agree that if I am charged with professional misconduct in the future in New York State, this Consent Agreement and Order shall be admitted into evidence in that proceeding.

7. I request the Board to adopt this Consent Agreement.

8. I understand that if the Board does not accept this Consent Agreement, none of its terms shall bind me or constitute an admission of any of the acts of alleged misconduct; this Consent Agreement shall not be used against me in any way and shall be kept in strict confidence; and the Board's denial shall be without prejudice to the pending disciplinary proceeding and the Board's final determination pursuant to the Public Health Law.

9. I agree that, if the Board adopts this Consent Agreement, the Chair of the Board shall issue a Consent Order in accordance with its terms. I agree that this Order shall take effect upon its issuance by the Board, either by mailing of a copy of the Consent Order by first class mail to me at the address in this Consent Agreement, or to my attorney, whichever is first.

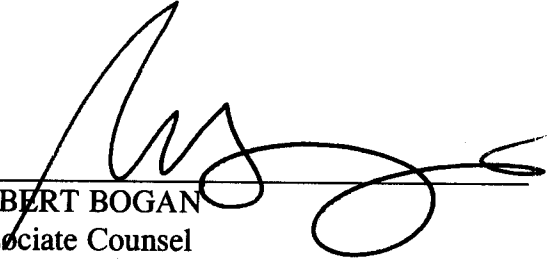
10. I ask the Board to adopt this Consent Agreement of my own free will and not under duress, compulsion or restraint. In consideration of the value to me of the Board's adoption of this Consent Agreement, allowing me to resolve this matter without the various risks and burdens of a hearing on the merits, I knowingly waive my right to contest the Consent Order for which I am applying, whether administratively or judicially. I agree to be bound by the Consent Oder, and ask the Board to adopt this Consent Agreement.


AFFIRMED

  
\_\_\_\_\_  
ROBERT PHILIP SCHIFFER, M.D.  
Respondent

DATED Oct 15, 2005

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

DATED: 18 October 2005   
ROBERT BOGAN  
Associate Counsel  
Bureau of Professional Medical Conduct

DATED: 21 October 2005   
DENNIS J. GRAZIANO  
Director  
Office of Professional Medical Conduct

STATE OF NEW YORK

DEPARTMENT OF HEALTH

STATE BOARD FOR PROFESSIONAL MEDICAL CONDUCT

---

**IN THE MATTER**  
**OF**  
**ROBERT PHILIP SCHIFFER, M.D.**  
**CO-05-01-0345-A**

---

**STATEMENT**  
**OF**  
**CHARGES**

**ROBERT PHILIP SCHIFFER, M.D.**, the Respondent, was authorized to practice medicine in New York state on January 22, 1973, by the issuance of license number 115408 by the New York State Education Department.

**FACTUAL ALLEGATIONS**

A. On or about December 16, 2004, the State of Florida, Board of Medicine (hereinafter "Florida Board"), by a Final Order (hereinafter "Florida Order"), issued Respondent a Letter of Concern; imposed \$2,700.00 administrative costs; required him to complete a Laws and Rules Course and a Protecting Your Medical Practice, Clinical Legal and Ethical Issues in Prescribing Abusable Drugs course; and required him to perform fifty (50) hours of community service; based on failing to practice medicine with that level of care, skill, and treatment which is recognized by a reasonably prudent similar physician as being acceptable under similar conditions and circumstances.

B. The conduct resulting in the Florida Board disciplinary action against Respondent would constitute misconduct under the laws of New York State, pursuant to the following sections of New York State law:

1. New York Education Law §6530(4) (gross negligence); and/or
2. New York Education Law §6530(32) (failing to maintain a record for each patient which accurately reflects the evaluation and treatment of the patient).

**SPECIFICATION**

Respondent violated New York Education Law §6530(9)(d) by having disciplinary action taken by a duly authorized professional disciplinary agency of another state, where the conduct resulting in the disciplinary action would, if committed in New York State, constitute professional misconduct under the laws New York state, in that Petitioner charges:

1. The facts in Paragraphs A and/or B.

DATED: *August 15*, 2005  
Albany, New York

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

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

IN THE MATTER

OF

CASE NO. CO-05-01-0345-A

ROBERT PHILIP SCHIFFER, M.D.  
\_\_\_\_\_ /

**ORDER**


Upon the proposed agreement of **ROBERT PHILIP SCHIFFER, M.D.** (Respondent) for Consent Order, which application is made a part hereof, it is agreed to and

ORDERED, that the application and the provisions thereof are hereby adopted; and 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 the Consent Order to Respondent at the address set forth in this agreement or to Respondent's attorney by certified mail, or upon transmission via facsimile to Respondent or Respondent's attorney, whichever is earliest.

SO ORDERED.

DATED: 10-25-05

  
\_\_\_\_\_  
KENDRICK A. SEARS, M.D.  
Chair  
State Board for Professional  
Medical Conduct