



New York State Board for Professional Medical Conduct

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

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

Patrick F. Carone, M.D., M.P.H.
Chair
Ansel R. Marks, M.D., J.D.
Executive Secretary

June 18, 1997

VIA OVERNIGHT MAIL

Thomas Sharpe, M.D.
27 West Barney Street
Gouverneur, New York 13642

RE: License No. 119425

Dear Dr. Sharpe:

Enclosed please find Order #BPMC 97-135 of the New York State Board for Professional Medical Conduct. Personal service of this Order and all terms and penalty provided therein is effective upon the date of this letter by agreement of the parties.

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
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: Kevin P. Donovan, Esq.

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

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IN THE MATTER : SURRENDER
OF : ORDER
THOMAS SHARPE, M.D. : BPMC #97-135

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THOMAS SHARPE, M.D., says:

On or about March 1, 1974, I was licensed to practice medicine as a physician in the State of New York having been issued License No. 119425 by the New York State Education Department.

My current address is 27 West Barney Street, Gouverneur, New York 13642 and I will advise the Director of the Office of Professional Medical Conduct of any change of my address.

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, 1995, through April 30, 1997.

I understand that I have been charged with ten 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 hereby agree not to contest the allegations and First specification set forth in the Statement of Charges (Exhibit A).

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

Thomas Sharpe

THOMAS SHARPE, M.D.
Respondent

Subscribed before me this
11 day of JUNE, 1997

[Signature]
NOTARY PUBLIC

JONATHAN M. BRANDES
NOTARY PUBLIC
QUALIFIED REVS CO.
EXPIRES 10/97

AGREED TO:

Date: 6/11, 1997

Kevin P. Donovan
KEVIN P. DONOVAN
Associate Counsel
Bureau of Professional
Medical Conduct

Date: June 11, 1997

Anne F. Saile
ANNE F. SAILE
Director, Office of
Professional Medical Conduct

ORDER

Upon the proposed agreement of THOMAS SHARPE, 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 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.

DATED:

June 7, 1997

PATRICK F. CARONE, M.D., M.P.H.
Chair
State Board for Professional
Medical Conduct

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

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IN THE MATTER : STATEMENT
OF : OF
THOMAS SHARPE, M.D. : CHARGES

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THOMAS SHARPE, M.D., the Respondent, was authorized to practice medicine in New York State on March 1, 1974, by the issuance of license number 119425 by the New York State Education Department.

FACTUAL ALLEGATIONS

A. Respondent treated Patient A during a pregnancy with an estimated date of confinement (EDC) of August 23, 1995. Respondent's care and treatment of Patient A did not meet acceptable standards of care in that:

1. Respondent failed to perform and/or record an adequate physical examination/pelvic assessment of the patient early in the pregnancy.
2. Respondent failed to appropriately interpret and/or follow up on a nonstress test which he ordered and which took place on August 29, 1995.
3. Respondent failed to appropriately respond to indications of fetal distress and to perform a timely Caesarean section on Patient A.
4. Respondent failed to maintain an adequate record of his care and treatment of Patient A during her labor.

Exhibit A

B. Respondent treated Patient B during a pregnancy with an EDC of February 11, 1995. Respondent's care and treatment of Patient B did not meet acceptable standards of care in that:

1. Respondent failed to perform and/or record an adequate physical examination/pelvic assessment of the patient early in the pregnancy.
2. Respondent failed to adequately evaluate and treat Patient B in response to indication(s) of low platelet count which was present from December 8, 1994, through delivery on February 15, 1995.
3. Respondent failed to maintain an adequate record of his care and treatment of Patient B during her labor.

C. Respondent treated Patient C during a pregnancy with an EDC of March 5, 1995. Respondent's care and treatment of Patient C did not meet acceptable standards of care in that:

1. Respondent failed to perform and/or record an adequate physical examination/pelvic assessment of the patient early in the pregnancy.
2. Respondent attempted an unindicated induction of labor for Patient C beginning on January 27, 1995.
3. Respondent inappropriately administered both Prepidil and oxytocin to Patient C on January 30, 1995.
4. Respondent failed to adequately evaluate the well-being of the fetus during the hospital stay which ended in delivery of the baby.
5. Respondent performed a Caesarean section on February 1, 1995, without adequate indication.

D. Respondent treated Patient D during a pregnancy with an EDC of approximately July 9, 1995. Respondent's care and treatment of Patient D did not meet acceptable standards of care in that:

1. Respondent failed to perform and/or record an adequate physical examination/pelvic assessment of the patient early in the pregnancy.

2. Respondent failed to adequately investigate Patient D's reported history of a previous high forceps delivery.
3. Respondent inappropriately administered both Prepidil and oxytocin to Patient D on July 10, 1995.
4. Respondent inappropriately ruptured the membranes of Patient D, who he diagnosed as having polyhydramnios, without adequate preparation for the risk of cord prolapse.

E. Respondent performed an endometrial ablation on Patient E, a 30 year old, on November 9, 1995.

1. Respondent performed the endometrial ablation on Patient E without adequate trials of medical therapy.
2. Respondent failed to adequately monitor or control fluid recovery during the procedure and/or performed the procedure in a setting without adequate ability to monitor or control fluid retention by the patient.

F. Respondent performed a total abdominal hysterectomy, bilateral salpingo-oophorectomy (TAH BSO) on Patient F, a 45 year old, on September 7, 1995. Respondent's care and treatment of Patient F did not meet acceptable standards of care, in that:

1. Respondent inappropriately performed a dilatation and curettage on August 11, 1995, after an endometrial biopsy had been positive for adenocarcinoma of the endometrium.
2. Respondent failed to sample lymph nodes during the TAH BSO.
3. Respondent inappropriately ordered a post-operative transfusion and failed to state a reason for the transfusion.

G. On an Application for Appointment to the Medical Staff of E.J. Noble Hospital, dated 4/4/94, Respondent fraudulently answered "No" to the question: "Have judgements or settlements been made against you in professional liability cases?", when a

settlement against him had occurred concerning a bilateral tubal ligation performed in 1975.

SPECIFICATIONS OF MISCONDUCT

FIRST SPECIFICATION

NEGLIGENCE ON MORE THAN ONE OCCASION

Respondent is charged with practicing the profession with negligence on more than one occasion within the meaning of New York Education Law § 6530(3) (McKinney Supp. 1997), in that Petitioner charges:

1. The facts of paragraphs A and A.1, A and A.2, A and A.3, A and A.4, B and B.1, B and B.2, B and B.3, C and C.1, C and C.2, C and C.3, C and C.4, C and C.5, D and D.1, D and D.2, D and D.3, D and D.4, E and E.1, E and E.2, F and F.1, F and F.2, and/or F and F.3.

SECOND SPECIFICATION

INCOMPETENCE ON MORE THAN ONE OCCASION

Respondent is charged with practicing the profession with incompetence on more than one occasion within the meaning of New York Education Law § 6530(5) (McKinney Supp. 1997), in that Petitioner charges:

2. The facts of paragraphs A and A.1, A and A.2, A and A.3, A and A.4, B and B.1, B and B.2, B and B.3, C and C.1, C and C.2, C and C.3, C and C.4, C and C.5, D and D.1, D and D.2, D and D.3, D and D.4, E and E.1, E and E.2, F and F.1, F and F.2, and/or F and F.3.

THIRD THROUGH EIGHTH SPECIFICATIONS

GROSS NEGLIGENCE

Respondent is charged with practicing the profession with gross negligence within the meaning of New York Education Law

§ 6530(4) (McKinney Supp. 1997), in that Petitioner charges:

3. The facts of paragraphs A and A.1, A and A.2, A and A.3, and/or A and A.4.
4. The facts of paragraphs B and B.1, B and B.2, and/or B and B.3.
5. The facts of paragraphs C and C.1, C and C.2, C and C.3, C and C.4, and/or C and C.5.
6. The facts of paragraphs D and D.1, D and D.2, D and D.3, and/or D and D.4.
7. The facts of paragraphs E and E.1 and/or E and E.2.
8. The facts of paragraphs F and F.1, F and F.2, and/or F and F.3.

NINTH SPECIFICATION

GROSS INCOMPETENCE

Respondent is charged with practicing the profession with gross incompetence within the meaning of New York Education Law

§ 6530(6) (McKinney Supp. 1997), in that Petitioner charges:

9. The facts of paragraphs A and A.1, A and A.2, A and A.3, A and A.4, B and B.1, B and B.2, B and B.3, C and C.1, C and C.2, C and C.3, C and C.4, C and C.5, D and D.1, D and D.2, D and D.3, D and D.4, E and E.1, E and E.2, F and F.1, F and F.2, and/or F and F.3.

TENTH SPECIFICATION

FRAUD

Respondent is charged with practicing the profession fraudulently within the meaning of New York Education Law

§ 6530(2) (McKinney Supp. 1997), in that Petitioner charges:

10. The facts of paragraph G.

DATED: *April 29* , 1997
Albany, New York

Peter D. Van Buren

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