



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

June 29, 1999

CERTIFIED MAIL-RETURN RECEIPT REQUESTED

Bruce Edward Platzek, M.D.
2215 Nebraska Avenue
St. 2-B
Fort Pierce, FL 34950

RE: License No. 120243

Dear Dr. Platzek:

Enclosed please find Order #BPMC 99-140 of the New York State Board for Professional Medical Conduct. This Order and any penalty provided therein goes into effect **June 29, 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: Michael D. Burt, Esq.
Bob, Spicer et. al.
Esparante, Sixth Floor
222 Lake View Avenue
West Palm Beach, FL 33401

Robert Bogan, Esq.

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

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IN THE MATTER	: SURRENDER
OF	: ORDER
BRUCE EDWARD PLATZEK, M.D.	: BPMC #99-140

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BRUCE EDWARD PLATZEK, M.D., says:

On or about June 18, 1974, I was licensed to practice medicine as a physician in the State of New York having been issued License No. 120243 by the New York State Education Department. My address is 2215 Nebraska Ave., St. 2-B,
Fort Pierce, FL 34950

I understand that I have been charged with One specification 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 one 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.

Date: June 9, 1999



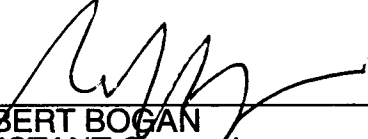
BRUCE EDWARD PLATZEK, M.D.
Respondent

AGREED TO:

Date: _____, 1999


MICHAEL BURT, Esq.
Attorney for Respondent

Date: 21 June, 1999



ROBERT BOGAN
Assistant Counsel
Bureau of Professional
Medical Conduct

Date: June 21, 1999



ANNE F. SAILE
Director, Office of
Professional Medical Conduct

ORDER

Upon the proposed agreement of BRUCE EDWARD PLATZEK, 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: 6/24/99



William P. Dillon, M.D.
Chair
State Board for Professional
Medical Conduct

EXHIBIT A

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

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IN THE MATTER : STATEMENT
OF : OF
BRUCE EDWARD PLATZEK, M.D. : CHARGES

-----X

BRUCE EDWARD PLATZEK, M.D., the Respondent, was authorized to practice medicine in New York state on June 18, 1974, by the issuance of license number 120243 by the New York State Education Department.

FACTUAL ALLEGATIONS

A. On or about April 29, 1998, the State of Florida Board of Medicine, (hereinafter "Florida Board"), entered a Final Order, (hereinafter "Florida Order"), which approved and adopted a Consent Agreement, (hereinafter, "Florida Agreement"), that reprimanded Respondent, placed him on two (2) years probation with terms and conditions, and fined him \$10,000.00 based on the ordering of unnecessary diagnostic tests, failure of the medical records to justify the medical necessity of ordering numerous tests, and billing for unnecessary tests.

B. The conduct resulting in the Florida Board's 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(2) (practicing the profession fraudulently);

2. New York Education Law §6530(3) (negligence on more than one occasion);

3. New York Education Law §6530(5) (incompetence on more than one occasion);

4. New York Education Law §6530(16) (failure to comply with federal, state, or local laws, rules, or regulations governing the practice of medicine);

5. New York Education Law §6530(20) (moral unfitness);
and/or

6. New York Education Law §6530(35) (ordering excessive tests, treatment, or use of treatment facilities not warranted).


SPECIFICATION

Respondent violated New York State Education Law §6530(9)(d) by having had disciplinary action taken against him 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 of New York state, in that the Petitioner charges:

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

DATED: *May 20*, 1999
Albany, New York


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