



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

September 20, 1996

CERTIFIED MAIL-RETURN RECEIPT REQUESTED

Lawrence Cooper, M.D.
233 Lewis Street
San Diego, California 92103

RE: License No. 121072

Dear Dr. Cooper:

Effective date: 09/27/96

Enclosed please find Order #BPMC 96-220 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: Peter M. Bochnewich, Esq.
Roberts & Morgan
1650 Iowa Avenue
Suite 200, Citrus Park P.O. Box 5980
Riverside, California 92517-5980

Cindy Fascia, Esq.

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

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IN THE MATTER :
OF : ORDER
LAWRENCE NATHAN COOPER, M.D. : BPMC #96-220

-----X

Upon the application of LAWRENCE NATHAN COOPER, M.D.
(Respondent) for Consent Order, which application is made a part
hereof, it is

ORDERED, that the application and the provisions thereof are
hereby adopted and so ORDERED, and 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 by certified mail, whichever is
earliest.

SO ORDERED,

DATED: _____

Charles J. Vacanti, M.D.
Chairperson
State Board for Professional
Medical Conduct

Medical Quality, Medical Board of California. A copy of said Stipulation in Settlement, Decision and Order is attached herewith as Exhibit B, along with the California Medical Board's Amended Accusation filed on September 2, 1995.

I understand that the New York State Board's action against me is based solely on the California Board's action, and that no additional conduct has been charged or alleged.

I do not contest the New York Board's charges, in that I did enter into said Stipulation in Settlement, Decision and Order with the California Board. I make this Consent Order in full satisfaction of the charges against me.

I hereby agree to the penalty of a two year suspension of my license to practice medicine in New York, with the suspension stayed in its entirety, conditioned on my full compliance for a probationary period of two years with the Terms of Probation attached hereto as Exhibit C.

I hereby make this Application to the State Board for Professional Medical Conduct (the Board) and request that it be granted.

I understand that, in the event that this Application is not granted by the Board, 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 Board shall be made without prejudice to the continuance of any disciplinary proceeding and the final determination by the Board pursuant to the provisions

of the Public Health Law.

The parties understand that nothing in this Application for Consent Order, or any Order arising therefrom, shall in any way prejudice Respondent's ability to apply to the Department of Health for relief from any and all of the terms associated herewith if the Decision and Order of the California Medical Board, upon which this Application for Consent Order and any Order arising therefrom is based, is subsequently modified, vacated or expunged. It is further understood that nothing in this Application for Consent Order, or any order arising therefrom, shall in any way prejudice Respondent's ability to subsequently apply for surrender of his license to the New York State Board.

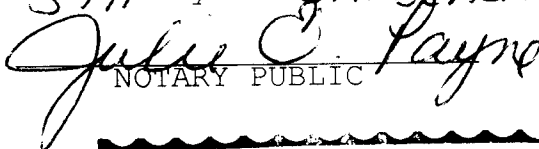
I agree that, in the event the Board grants my Application, as set forth herein, an order of the Chairperson of the Board shall be issued in accordance with same.

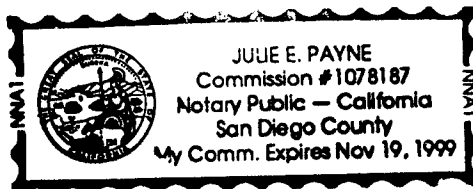
I am making this Application of my own free will and accord and not under duress, compulsion or restraint of any kind or manner.

CALIFORNIA
SAN DIEGO COUNTY


LAWRENCE NATHAN COOPER, M.D.
RESPONDENT

Sworn to before me this
5TH day of ~~5TH~~ SEPTEMBER 1996.


NOTARY PUBLIC

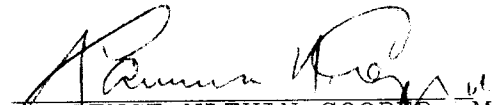


STATE OF NEW YORK : DEPARTMENT OF HEALTH
STATE BOARD FOR PROFESSIONAL MEDICAL CONDUCT

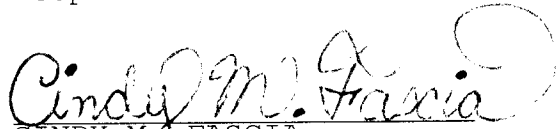
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IN THE MATTER : APPLICATION
OF : FOR
LAWRENCE NATHAN COOPER, M.D. : CONSENT
: ORDER
-----X

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

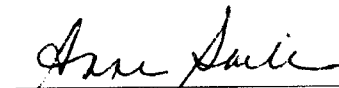
DATE: September 11, 1996


LAWRENCE NATHAN COOPER, M.D.
Respondent


DATE: September 10, 1996


CINDY M. FASCIA
ASSOCIATE COUNSEL
Bureau of Professional
Medical Conduct

DATE: September 18, 1996


ANNE F. SAILE
ACTING DIRECTOR
Office of Professional Medical
Conduct

DATE: September 20, 1996


CHARLES J. VACANTI, M.D.
CHAIRPERSON
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
LAWRENCE NATHAN COOPER, M.D. : CHARGES

-----X

LAWRENCE NATHAN COOPER, M.D., the Respondent, was authorized to practice medicine in New York State on August 6, 1974, by the issuance of license number 121072 by the New York State Education Department. Respondent is not currently registered with the New York State Education Department.

FACTUAL ALLEGATIONS

1. The California Board of Medicine, on or about November 30, 1994, filed an Accusation against Respondent. Respondent was served with said Accusation, and filed a notice of defense. Thereafter, on or about December 6, 1994, the Board served an Amended Accusation on Respondent.

2. The California Board of Medicine, on or about November 29, 1995, issued a Stipulation in Settlement, Decision and Order in the Matter of the Accusation Against Lawrence N. Cooper, M.D. The Board, in said Stipulation, found that Respondent had violated California Business and Professions Code section 2234(b), in that he was guilty of gross negligence in his care and treatment of patient Alma H., in that Respondent misdiagnosed

Alma H. as having cataracts.

3. Respondent, in said Stipulation, did not contest the truth and accuracy of the charges and allegations in paragraph 6B of the Amended Accusation, and further stipulated that should he become involved in any other licensing action in California or any other state, that the charges and allegations in paragraph 6B of the Amended Accusation would be deemed admitted by Respondent and would be deemed true for the purposes of such proceedings.

4. The California Board of Medicine, pursuant to the Stipulation in Settlement, Decision and Order, took disciplinary action against Respondent. Specifically, Respondent's license was revoked. The revocation was stayed, and Respondent was placed on probation for three years. The terms of Respondent's probation included a requirement that within ninety (90) days of the effective date of the Board's decision, he take and pass an oral clinical examination in the diagnosis and treatment of cataracts, the medical indications for cataract surgery, and medical record-keeping. If Respondent failed the first examination, he was required to take a second examination, which would consist of a written and oral examination. If Respondent failed the second examination, he was required to take a third and final examination. Failure to pass the oral clinical examination within eighteen months of the Board's decision would constitute a violation of Respondent's probation. Respondent was also required, for each year of probation, to take at least forty (40) hours of continuing medical education, in addition to the

continuing medical education required of every licensee for re-licensure. Respondent was also required to successfully complete an ethics course during his probation. Respondent was also ordered to pay \$10,000.00 for costs of investigation and prosecution.

5. The conduct resulting in the California Board taking disciplinary action against Respondent, and/or the conduct upon which the California Board found respondent guilty of professional misconduct would, if committed in New York state, constitute professional misconduct under the laws of New York state, including but not limited to N.Y. Education Law §6530(4) [practicing with gross negligence].

SPECIFICATION OF CHARGES

FIRST SPECIFICATION

Respondent is charged with professional misconduct under N.Y. Education Law §6530(9)(b), by reason of 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, in that Petitioner charges:

1. The facts in Paragraphs 1 through 4.

SECOND SPECIFICATION

Respondent is charged with professional misconduct under N.Y. Education Law §6530(9)(d) (McKinney Supp. 1996), by reason of having his license to practice medicine revoked, suspended or having other disciplinary action taken, or having his application for a license refused, revoked or suspended or having voluntarily or otherwise surrendered his license after a disciplinary action was instituted by a duly authorized professional disciplinary agency of another state, where the conduct resulting in the revocation, suspension or other disciplinary action involving the license or the refusal, revocation or surrender of the license would, if committed in New York State, constitute professional misconduct under the laws of New York state, in that Petitioner charges:

2. The facts in Paragraphs 1 through 4.

DATED: *May 23*, 1996
Albany, New York



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

EXHIBIT C
TERMS OF PROBATION

1. Respondent will conform fully:
 - a. to the professional standards of conduct imposed by law and by his profession;
 - b. with all civil and criminal laws, rules and regulations.
2. Respondent will notify the Office of Professional Medical Conduct (OPMC) of:
 - a. any and all investigations, charges, convictions or disciplinary actions taken by any local, state or federal agency, institution or facility, within thirty days of each action;
 - b. any and all changes in personal and professional addresses and telephone numbers and facility affiliations, within 30 days of such changes. This will include any change in practice location, within or outside of the State of New York. The date of departure from the State of New York, and the date of return, if any, must be reported in writing.
3. Respondent shall notify the Director of OPMC in writing of his intent to return to New York state to practice medicine, at least 30 days before returning to New York State.
4. The following terms of probation are tolled until Respondent returns to New York state to practice medicine, at which time they will be in effect for a period of two years:
 - a. Respondent will notify the Office of Professional Medical Conduct of any and all changes in personal and professional addresses and telephone numbers and facility affiliations, within 30 days of such changes. This will include any change in practice location, within or outside of the State of New York. The date of departure from the State of New York, and the date of return, if any, must be reported in writing;
 - b. During the period of probation, the Director of OPMC or her designee may review the professional performance of the Respondent; this review may include but not be limited to a random selection of office records, patient records or hospital charts, interviews with or periodic visits with

the Respondent and his staff at the practice location(s) or one of the offices of the Office of Professional Medical Conduct;

- c. Respondent will make available for review by the Office of Professional Medical Conduct, or a physician selected by the Respondent and approved by the OPMC, complete copies of any and all medical and office records selected by the Office of Professional Medical Conduct;
 - d. Any deviation from accepted medical practice identified during any of the reviews will be discussed with the Respondent; any pattern of substandard care identified during the probation period may result in an independent medical review and could lead to a probation violation and/or additional investigation or charges;
 - e. Respondent will maintain legible and complete medical records which accurately reflect evaluation and treatment of patients.
 - f. Respondent will personally meet with a member of the Office of Professional Medical Conduct staff on a quarterly basis at the discretion of the Director of the Office or designee.
5. So long as there is full compliance with every term herein set forth, Respondent may continue to practice his or her profession in accordance with the terms of probation. Upon receipt of evidence of noncompliance with, or any violation of these terms, the Director of the Office of Professional Medical Conduct and/or the Board may initiate a violation of probation proceeding and/or any such other proceeding against Respondent as may be authorized by law.
6. Respondent shall assume and bear all costs related to compliance with the terms of probation.