



Board for Professional Medical Conduct

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

November 16, 1992

C. Maynard Guest, M.D.
Executive Secretary

CERTIFIED MAIL-RETURN RECEIPT REQUESTED

Regelio F. Arcuino, M.D.
8514 Calumet Way
Cincinnati, Ohio 45249

RE: License No. 121328

Effective Date 11/20/92

Dear Dr. Arcuino:

Enclosed please find Order #BPMC 92-102 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 12237-0614

Sincerely,

C. Maynard Guest, M.D.
Executive Secretary
Board for Professional Medical Conduct

Enclosure

cc: Michael Gire, Esq.
Bricker and Eckler
100 South Third Street
Columbus, Ohio 43215

Dianne Abeloff, Esq.

bcc: Chris Hyman
Roy Nemerson
Kenneth Spooner
Cheryl Ratner
Faith Schottenfeld
Anne Bohenek

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

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IN THE MATTER :
OF : ORDER
ROGELIO F. ARCUINO, M.D. : BPMC 92-102

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Upon the application of ROGELIO F. ARCUINO, M.D., 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 or seven days after mailing by certified mail.

SO ORDERED,

DATED: 14 October 1992

Charles J. Vacanti
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

IN THE MATTER : APPLICATION
OF : FOR
ROGELIO F. ARCUINO, M.D. : CONSENT
: ORDER

STATE OF OHIO)
COUNTY OF HAMILTON) ss.:

ROGELIO F. ARCUINO, M.D., being duly sworn, deposes and says:

That on or about September, 16, 1974 I was licensed to practice as a physician in the State of New York, having been issued License No. 121328 by the New York State Education Department.

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, 1991 through December 31, 1992. My address is 8514 Calumet Way, Cincinnati, Ohio 452⁴~~8~~9.

I understand that the New York State Board for Professional Medical Conduct has charged me with one specification of professional misconduct.

A copy of the Statement of Charges is annexed hereto, made a part hereof, and marked as Exhibit "A".

I admit guilt to the specification in complete satisfaction of the statement of charges.

I hereby agree to the penalty that my license to practice as a physician in the State of New York be suspended in the area of surgery until I complete a surgical residency program recognized and approved by the New York State Department of Health, Office of Professional Medical Conduct.

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 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, and 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. Any 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 N.Y. Public Health Law

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.

Rogelio Arcuino M.D.
ROGELIO F. ARCUINO, M.D.
Respondent

Sworn to before me this
30 day of *Sept*, 19*92*.

Kathleen M. Albach

NOTARY PUBLIC

KATHLEEN M. ALBACH
Notary Public State of Ohio
My Commission Expires June 3, 1995

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

IN THE MATTER : APPLICATION
OF : FOR
ROGELIO F. ARCUINO, M.D. : CONSENT
: ORDER

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

Date: 9/30/92

Rogelio F. Arcuino MD
ROGELIO F. ARCUINO, M.D.
Respondent

Date: 10/2/92

Michael Gire
MICHAEL GIRE
Attorney for Respondent

Date: 10/6/92

Dianne Abeloff
DIANNE ABELOFF
Associate Counsel
Bureau of Professional
Medical Conduct

Date: Nov. 13, 1992

Kathleen M. Tanner

KATHLEEN M. TANNER
Director
Office of Professional
Medical Conduct

Date: 14 October 1992

Charles J. Vacanti

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

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IN THE MATTER	:	STATEMENT
OF	:	OF
ROGELIO ARCUINO, M.D.	:	CHARGES

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ROGELIO ARCUINO, M.D., the Respondent, was authorized to practice medicine in New York State on September 16, 1974 by the issuance of license number 121328 by the New York State Education Department. The Respondent is currently registered with the New York State Education Department to practice medicine for the period January 31, 1991 through December 31, 1992 from 8514 Calumet Way, Cincinnati, Ohio 45249.

SPECIFICATION

Respondent is charged with professional misconduct within the meaning of N.Y. Educ. Law Sec. 6530 (9)(d) (McKinney Supp. 1992), in that Respondent's application to practice medicine in Kentucky was refused by the Kentucky Board of Medical Licensure for conduct which if committed in New York State would constitute professional misconduct under the laws of New York State as defined in N.Y. Educ. Law Sec. 6530 (3), (4), and/or (6)

(McKinney Supp. 1992), practicing the profession with negligence on more than one occasion, gross negligence and/ or gross incompetence, specifically:

On or about March 24, 1989, the Kentucky Board of Medical Licensure denied a Kentucky license to Respondent based upon conduct the Kentucky Board of Medical Licensure found to be in violation of KRS 311.595 (8) and 311.597 (3) in that the conduct constituted a pattern of gross incompetence, gross ignorance, gross negligence or malpractice.

DATED: New York, New York

Chris Stern Hyman
Counsel
Bureau of Professional Medical
Conduct