



Board for Professional Medical Conduct

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

Mark R. Chassin, M.D., M.P.P., M.P.H.
Commissioner

C. Maynard Guest, M.D.
Executive Secretary

January 28, 1994

CERTIFIED MAIL-RETURN RECEIPT REQUESTED

Artemio O. Gregorio, M.D.
33 Joyce Drive
Riverhead, New York 11901

RE: License No. 121509
Effective Date: 2/4/94

Dear Dr. Gregorio:

Enclosed please find Order #BPMC 94-08 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,

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

Enclosure

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

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IN THE MATTER :
OF : ORDER
ARTEMIO O. GREGORIO, M.D. : BPMC #94-08

-----X

Upon the Application of ARTEMIO O. GREGORIO, M.D.
(Respondent) to Surrender his or her license as a physician in
the State of New York, which application is made a part hereof,
it is

ORDERED, that the application 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

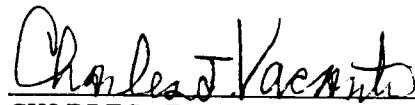
ORDERED, that Respondent shall not apply for the
restoration of Respondent's license until at least one year has
elapsed from the effective date of this order; and it is further

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 via certified mail, whichever is
earliest.

SO ORDERED,

DATED:

13 January 1994



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
OF
ARTEMIO O. GREGORIO, M.D.

: APPLICATION TO
:
: SURRENDER
:
: LICENSE
:

STATE OF NEW YORK)
 ss.:
COUNTY OF NASSAU)

ARTEMIO O. GREGORIO, M.D., being duly sworn, deposes and
says:

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. 121509 by the New York State Education Department.

I am not currently registered with the New York State
Education Department to practice as a physician in the State of
New York.

I understand that I have been charged with eighteen
specification(s) 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 permission to surrender my license as a physician in the State of New York on the grounds that I admit guilt to the First, Third, Fourth, Fifth, Seventh, Ninth, Tenth, Eleventh, Thirteenth, Fifteenth, Sixteenth and Seventeenth specification(s) of professional misconduct set forth in the Statement of Charges.

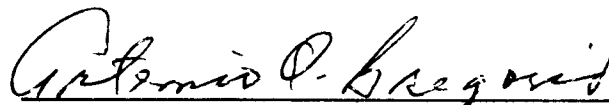
I hereby make this application to the State Board for Professional Medical Conduct and request that it be granted.

I understand that, in the event that the application 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 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 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 grants my application, an 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 Application of my own free will and accord and not under duress, compulsion, or restraint of any kind or manner.



ARTEMIO O. GREGORIO, M.D.
Respondent

Sworn to before me this
5TH day of JANUARY, 1994



NOTARY PUBLIC

STEVEN R. BERNHARD
Notary Public, State of New York
No. 4913890
Qualified in Nassau County
Commission Expires November 9, 1995

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

IN THE MATTER

OF

ARTEMIO O. GREGORIO, M.D.

: APPLICATION TO
:
: SURRENDER
:
: LICENSE
:

The undersigned agree to the attached application of the
Respondent to surrender his license.

Date: 1/5, 1994

Artemio O. Gregorio
ARTEMIO O. GREGORIO, M.D.
Respondent

Date: 1/5, 1994

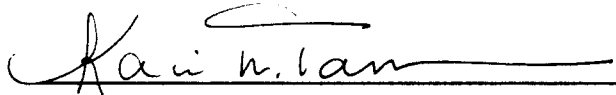
Steven R. Bernhard
STEVEN R. BERNHARD, ESQ.
Attorney for Respondent

Date: Jan 6, 1994

Denise Lepicier
DENISE LEPICIER
Assistant Counsel
Bureau of Professional
Medical Conduct

ARTEMIO O. GREGORIO, M.D.

Date: Jan. 25, 1994



KATHLEEN M. TANNER
Director, Office of Professional
Medical Conduct

Date: 13 January, 1994



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 :
OF : STATEMENT
ARTEMIO O. GREGORIO, M.D. : OF CHARGES
-----X

ARTEMIO O. GREGORIO, M.D., the Respondent, was authorized to practice medicine in New York State on September 16, 1974 by the issuance of license number 121509 by the New York State Education Department. The Respondent is currently registered in inactive status with the New York State Education Department to practice medicine.

FACTUAL ALLEGATIONS

PATIENT A

- A. Respondent treated Patient A, a female born on June 12, 1931, at his private office at 33 Joyce Drive, Riverhead, New York. (Patient A and all other patients are identified in the attached appendix.)

1. In or about September of 1978, Patient A was seen by Respondent. Patient A complained of severe vaginal itching. Under the pretense of applying medication and not for a genuine medical purpose, Respondent inserted his finger into Patient A's vagina and rubbed her vaginal area. Respondent asked her if it felt good and suggested in colloquial terms that she have an orgasm. He also told her that he could come to her house to do this for her.

PATIENT B

- B. Respondent treated Patient B, a female born on April 9, 1973, at his private office at 33 Joyce Drive, Riverhead, New York.

1. Between in or about August of 1989 and in or about October of 1989, Patient B was seen by Respondent. Patient B complained of feeling ill. Under the pretense of continuing a physical examination and not for a genuine medical purpose, the Respondent asked the patient to lower her pants and he touched and rubbed her vaginal area. After Patient B had

dressed herself, she entered Respondent's office and Respondent resumed touching and rubbing her vaginal area through her clothing. Respondent told Patient B not to tell anyone.

2. In or about October of 1990, Patient B was again seen by Respondent at his private office. Patient B complained that she was feeling nauseous and had diarrhea. Under the pretense of continuing a physical examination and not for a genuine medical purpose, the Respondent asked the patient to lower her pants and he touched and rubbed her vaginal area. Respondent also asked inappropriate questions concerning Patient B's sexual activities, including with whom she had sexual intercourse, where she engaged in sexual intercourse and whether sexual intercourse felt good to her. After Patient B dressed herself, she entered Respondent's office and Respondent resumed touching and rubbing her vaginal area through her clothing. Respondent refused to immediately stop the touching when she asked him to do so. Respondent told Patient B not to tell anyone.

PATIENT C

C. Respondent treated Patient C, a female born on January 24, 1950, at his private office at 33 Joyce Drive, Riverhead, New York.

1. In or about January of 1981, Patient C was seen by the Respondent at his private office and complained of symptoms consistent with the flu. Patient C returned for a follow up visit, also in or about January of 1981. On this latter visit, under the pretense of continuing a physical examination and not for a genuine medical purpose, Respondent rubbed Patient C's vaginal area.

PATIENT D

D. Respondent treated Patient D, a female born on June 6, 1966, at his private office at 33 Joyce Drive, Riverhead, New York.

1. In or about August of 1988, Patient D was seen by the Respondent in his private office for

symptoms including aches and pains and fever. On a follow up visit also in or about August of 1988, Respondent took a vaginal culture. After taking the culture, under pretense of continuing a physical examination and not for a genuine medical purpose, Respondent inserted his finger into Patient D's vagina and rubbed her vaginal area. Respondent also asked her inappropriate questions about whether she enjoyed sexual intercourse and how it felt as he moved his fingers. Respondent also told Patient D not to tell her mother.

PATIENT E

E. Respondent treated Patient E, a female born on March 30, 1955, at Central Suffolk Hospital from on or about October 10, 1979, to on or about October 15, 1979. Patient E was diagnosed as having dehydration, diarrhea and colitis.

1. During the period of Patient E's hospitalization, Respondent conducted a physical examination of Patient E. Under the pretense of continuing the physical examination

and not for a genuine medical purpose,
Respondent touched and rubbed her vaginal area
with his ungloved hand.

PATIENT F

F. Respondent treated Patient F, a female born August 24, 1940,
in or about the spring of 1982, at his private office at 33
Joyce Drive, Riverhead, New York.

1. On or about a Sunday in the spring of 1982,
Patient F was seen by Respondent at his private
office. Patient F complained that she was
experiencing pain in her side and that she was
nauseous. Under the pretense of continuing a
physical examination and not for a genuine
medical purpose, Respondent inserted his finger
into Patient F's vagina and rubbed her vaginal
area. He also asked her whether she felt
anything as he moved his fingers.

SEVENTH THROUGH TWELFTH SPECIFICATIONS

CONDUCT EVIDENCING MORAL UNFITNESS TO PRACTICE MEDICINE

Respondent is charged with professional misconduct by reason of conduct in the practice of medicine which evidences moral unfitness to practice medicine, within the meaning of N.Y. Educ. Law Section 6530(20) (McKinney's Supp. 1993), in that Petitioner charges:

7. The facts in paragraphs A and A1.
8. The facts in paragraphs B, B1 and B2.
9. The facts in paragraphs C and C1.
10. The facts in paragraphs D and D1.
11. The facts in paragraphs E and E1.
12. The facts in paragraphs F and F1.

SPECIFICATIONS

FIRST THROUGH SIXTH SPECIFICATIONS

PRACTICING THE PROFESSION FRAUDULENTLY

Respondent is charged with professional misconduct by reason of practicing the profession fraudulently, within the meaning of N.Y. Educ. Law Section 6530(2) (McKinney's Supp. 1993), in that Petitioner charges the following:

1. The facts in paragraphs A and A1.
2. The facts in paragraphs B, B1 and B2.
3. The facts in paragraphs C and C1.
4. The facts in paragraphs D and D1.
5. The facts in paragraphs E and E1.
6. The facts in paragraphs F and F1.

THIRTEENTH THROUGH EIGHTEENTH SPECIFICATIONS

WILLFULLY HARASSING, ABUSING OR INTIMIDATING A PATIENT
EITHER PHYSICALLY OR VERBALLY

Respondent is charged with willfully harassing, abusing, or intimidating a patient either physically or verbally, within the meaning of N.Y. Educ. Law Section 6530(31) (McKinney's Supp. 1993), in that Petitioner charges the following:

13. The facts in paragraphs A and A1.

14. The facts in paragraphs B, B1 and B2.

15. The facts in paragraphs C and C1.

16. The facts in paragraphs D and D1.

17. The facts in paragraphs E and E1.

18. The facts in paragraphs F and F1.

DATED: New York, New York

Chris Stern Hyman

Chris Stern Hyman
Counsel
Bureau of Professional
Medical
Conduct