



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

Charles J. Vacanti, M.D.
Chair

February 28, 1997

CERTIFIED MAIL-RETURN RECEIPT REQUESTED

James Hopkins, M.D.
150 South 800 East #E1
Salt Lake City, Utah 84102

RE: License No. 127538

Dear Dr. Hopkins:

Enclosed please find Order #BPMC 97-48 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
Hedley Park Place, Suite 303
433 River Street
Troy, New York 12180

Sincerely,

Charles Vacanti, M.D.
Chair
Board for Professional Medical Conduct

Enclosure

cc: E. Marta Sachey, Esq.

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

-----X

IN THE MATTER :
OF : ORDER
JAMES HOPKINS, M.D. : BPMC #97-48

-----X

Upon the Application of JAMES HOPKINS, M.D. to Surrender his 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 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: 26 February 1997

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

-----X

IN THE MATTER : APPLICATION TO
OF : SURRENDER
JAMES HOPKINS, M.D. : LICENSE

-----X

STATE OF UTAH)

ss.:

COUNTY OF *Salt Lake*)

JAMES HOPKINS, M.D., being duly sworn, deposes and says:

1. I was licensed to practice medicine as a physician in New York State on July 1, 1976 having been issued License No. 127538 by the New York State Education Department. I am not currently registered with the New York State Education Department to practice medicine in New York State.
2. I understand that the New York State Board for Professional Medical Conduct has charged me with professional misconduct as set forth in the Statement of Charges, annexed hereto, made a part hereof and marked as "Exhibit A."

3. I do not contest the specifications of professional misconduct set forth in the Statement of Charges.
4. I hereby make this Application to the State Board for Professional Medical Conduct and request that it be granted.
5. 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.
6. 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.

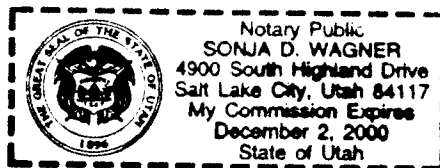
7. I am making this Application of my own free will and accord and not under duress, compulsion, or restraint of any kind of manner.

James Hopkins, M.D.
JAMES HOPKINS, M.D.
Respondent

Sworn to before me this

14th day of *February*, 1997

Sonja D. Wagner
NOTARY PUBLIC



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

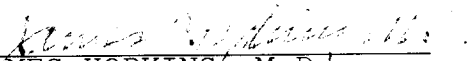
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IN THE MATTER : APPLICATION TO
OF : SURRENDER
JAMES HOPKINS, M.D. : LICENSE

-----X

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

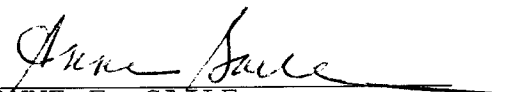
Date: Feb 4, 1997


JAMES HOPKINS, M.D.
Respondent

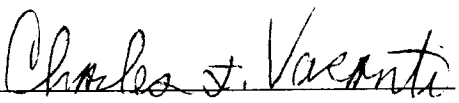
Date: Feb 18, 1997


E. MARTA SACHEY
Associate Counsel
Bureau of Professional Medical
Conduct

Date: Feb 24, 1997


ANNE F. SAILE
Director, Office of Professional
Medical Conduct

Date: 26 February 1997


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
JAMES HOPKINS, M.D. : CHARGES

-----X

JAMES HOPKINS, M.D., the Respondent, was authorized to practice medicine in New York State on July 1, 1976 by the issuance of license number 127538 by the New York State Education Department. Respondent is not currently registered with the New York State Education Department to practice medicine in New York State.

FACTUAL ALLEGATIONS

1. The State of Utah, Division of Occupational and Professional Licensing of the Department of Commerce, pursuant to a Stipulation and Order, dated September 9, 1996, found Respondent guilty of professional misconduct under Utah Code Ann. §58-12-35 by reason of his being unable to practice medicine with reasonable skill and safety to patients because of illness, ... excessive use of drugs, narcotics, chemicals, or any other type of material or as a result of any mental or physical conditions. More specifically, Respondent admitted that he suffers from methylphenidate abuse, depression and abnormal thought process which render him unfit to practice medicine.

EXHIBIT A

2. The Utah Division of Occupational and Professional Licensing revoked Respondent's controlled substance license and placed Respondent on five years probation under conditions which include, among others, abstaining from using or possessing any drugs or controlled substances, submitting to a chemical dependency evaluation and undergoing any recommended treatment, not practicing medicine in Utah until the Utah Division approves a practice plan which shall include supervision of Respondent's practice, and submitting to random drug testing.

3. The conduct underlying the Utah Division's finding of professional misconduct and/or imposition of disciplinary action upon Respondent would, if committed in New York State, constitute professional misconduct under N.Y. Educ. Law §6530(8) [dependence on or habitual use of drugs or having psychiatric condition which impairs ability to practice] (McKinney Supp. 1997).

FIRST SPECIFICATION

Respondent is charged with professional misconduct under N.Y. Educ. Law §6530(9)(b) (McKinney Supp. 1997) by reason of his 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 the facts in Paragraphs 1 through 3.

SECOND SPECIFICATION

Respondent is charged with professional misconduct under N.Y. Educ. Law §6530(9)(d) (McKinney Supp. 1997) 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 refusal, revocation or suspension of an application for license or the 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 the facts in Paragraphs 1 through 3.

DATED: *January 24*, 1997
Albany, New York

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

1/24/97

Peter D. Van Buren

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

Inquiries should be addressed to:

E. Marta Sachey
Associate Counsel
NYS Department of Health
Division of Legal Affairs
Corning Tower Building
Room 2503
Empire State Plaza
Albany, New York 12237
(518) 473-4282