



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

Patrick F. Carone, M.D., M.P.H.
Chair
Ansel R. Marks, M.D., J.D.
Executive Secretary

January 14, 1998

CERTIFIED MAIL-RETURN RECEIPT REQUESTED

Clarence Henry, M.D.
848 Columbia Street
Hudson, New York 12534

RE: License No. 128189

Dear Dr. Henry:

Enclosed please find Order #BPMC 98-13 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,

Ansel R. Marks, M.D., J.D.
Executive Secretary
Board for Professional Medical Conduct

Enclosure

cc: Earl Rawlins, Esq.
2090 Clayton Powell Boulevard
New York, New York 10027

E. Marta Sachey, Esq.

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

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IN THE MATTER : CONSENT
OF : AGREEMENT
CLARENCE HENRY, M.D. : AND ORDER
: BPMC #98-13

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CLARENCE HENRY, M.D., states:

1. I was licensed to practice as a physician in the New York State on August 27, 1976 by the issuance of license number 128189 by the New York State Education Department.
2. I am currently registered with the New York State Education Department to practice medicine for the period June 1, 1996 through May 31, 1998 with a registration address of 848 Columbia Street, Hudson, New York 12534. I will advise the Director of the Office of Professional Medical Conduct of any change in my address.
3. I understand that I have been charged with two specifications of professional misconduct as set forth in the Statement of Charges, annexed hereto, made a part hereof and marked as "Exhibit A."
4. I do not contest the two specifications of misconduct in full satisfaction of the Statement of Charges.

5. I hereby agree to the following penalty:
 - a. A Censure and Reprimand and
 - b. A limitation on my license to preclude me from prescribing any drugs to Patient A, my wife, to my current or former family members and to those not in a formal physician-patient relationship with me.

6. I agree that in the event that I am charged with professional misconduct in the future, this Agreement and Order shall be admitted into evidence in that proceeding.

7. I agree that, as a condition of this Order, I will maintain registration of my license with the New York State Education Department, Division of Professional Licensing Services, and pay all registration fees, in accordance with the requirements of the New York State Education Law.

8. I understand that, in the event that the Board does not grant this application, 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.

9. I agree that, in the event the State Board for Professional Medical Conduct grants my application, an order of the Chairperson of the Board shall be issued in accordance with same.
10. I make this application of my own free will and accord and not under duress, compulsion or restraint of any kind or manner.



CLARENCE HENRY, M.D.
RESPONDENT

Subscribed before me this
31st day of December, 1997.

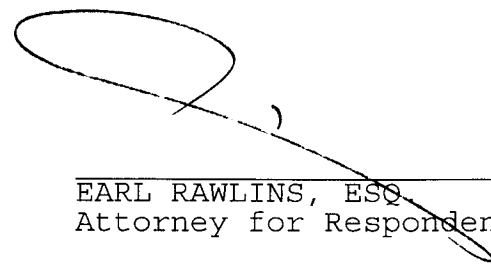

NOTARY PUBLIC

LEINA M. SMITH-WALDE
NOTARY PUBLIC

Commission Expires 11/30/99

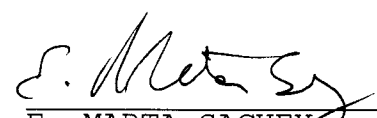
AGREED TO:

DATE: _____




EARL RAWLINS, ESQ
Attorney for Respondent

DATE: 1-6-98



E. MARTA SACHEY
ASSOCIATE COUNSEL
Bureau of Professional
Medical Conduct

DATE: 1/7/98



ANNE F. SAILE
DIRECTOR
Office of Professional
Medical Conduct

ORDER

Upon the proposed agreement of CLARENCE HENRY, M.D.
(Respondent) for Consent Order, 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; 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.

DATED: 1/8/98

Patrick F. Carone, M.D.

PATRICK F. CARONE, M.D., M.P.H.
Chair
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
CLARENCE HENRY, M.D. : CHARGES

-----X

CLARENCE HENRY, M.D., the Respondent, was authorized to practice medicine in New York State on August 27, 1976 by the issuance of license number 128189 by the New York State Education Department. Respondent is currently registered with the New York State Education Department to practice medicine for the period June 1, 1996 through May 31, 1998 with a registration address of 848 Columbia Street, Hudson, New York 12534.

FACTUAL ALLEGATIONS

- A. Respondent provided medical care to Patient A, Respondent's wife, on various occasions from approximately 1993 through approximately May 1997. Respondent on various occasions from approximately 1993 through approximately May 1997 prescribed Stadol to Patient A in excessive amounts and/or too frequently.
- B. Respondent failed to maintain adequate medical records for Patient A.

EXHIBIT A

FIRST SPECIFICATION

Respondent is charged with professional misconduct under N.Y. Education Law § 6530(3) (McKinney Supp. 1997) by reason of his practicing the profession of medicine with negligence on more than one occasion, in that Petitioner charges:

1. The facts in Paragraph A.

SECOND SPECIFICATION

Respondent is charged with professional misconduct under N.Y. Education Law § 6530(32) (McKinney Supp. 1997) by reason of his failing to maintain a record for each patient which accurately reflects the evaluation and treatment of the patient, in that Petitioner charges:

2. The facts in Paragraph B.

DATED: *December 18*, 1997
Albany, New York

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