



New York State Board for Professional Medical Conduct

433 River Street, Suite 303 Troy, New York 12180-2299 • (518) 402-0863

Dennis P. Whalen
Executive Deputy Commissioner of Health
Anne F. Saile, Director
Office of Professional Medical Conduct
William J. Comiskey, Chief Counsel
Bureau of Professional Medical Conduct

William P. Dillon, M.D.
Chair
Denise M. Bolan, R.P.A.
Vice Chair
Ansel R. Marks, M.D., J.D.
Executive Secretary

July 8, 1999

CERTIFIED MAIL-RETURN RECEIPT REQUESTED

William A. Lockyer, M.D.
P.O. Box 790
Plymouth, CA 95669

RE: License No. 137962

Dear Dr. Lockyer:

Enclosed please find Order #BPMC 99-152 of the New York State Board for Professional Medical Conduct. This Order and any penalty provided therein goes into effect **July 8, 1999.**

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 to 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: Albert J. Garcia, Esq.
1995 University Avenue
Suite 265
Berkeley, CA 94704

Robert Bogan, Esq.

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

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IN THE MATTER : SURRENDER
OF : ORDER
WILLIAM A. LOCKYER, M.D. : BPMC # 99-152

-----X

WILLIAM A LOCKYER, M.D., says:

On or about April 27, 1979, I was licensed to practice medicine as a physician in the State of New York having been issued License No. 137962 by the New York State Education Department. My address is ~~1360 Jones Street, Apt. 702, San Francisco CA 94109.~~

MAK. P.O. Box 790 Plymouth CA 95669

I understand that I have been charged with two (2) specifications of professional misconduct as set forth in the Statement of Charges, annexed hereto, made a part hereof, and marked as Exhibit "A".

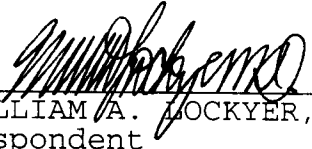
I am applying to the State Board for Professional Medical Conduct for an agreement to allow me to surrender my license as a physician in the State of New York and request that the Board issue this Surrender Order.

I agree not to contest the specifications set forth in the Statement of Charges.

I understand that, in the event that this proposed agreement 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 proposed agreement 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.

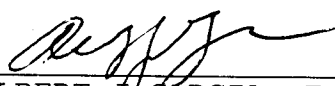
I agree that in the event the State Board for Professional Medical Conduct agrees with my proposal, this Order shall be issued striking my name from the roster of physicians in the State of New York without further notice to me. I agree that this Order shall be effective upon issuance by the Board, which may be accomplished by mailing, by first class mail, a copy of the Order to me at the address set forth above, or to my attorney, or upon transmission via facsimile to me or my attorney, whichever is earliest.

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



WILLIAM A. LOCKYER, M.D.
Respondent

AGREED TO:


Date: 6/9, 1999


ALBERT J. GARCIA, Esq.
Attorney for Respondent

Date: 28 June, 1999


ROBERT BOGAN
Assistant Counsel
Bureau of Professional
Medical Conduct

Date: June 28, 1999


ANNE F. SAILE
Director, Office of
Professional Medical Conduct

ORDER

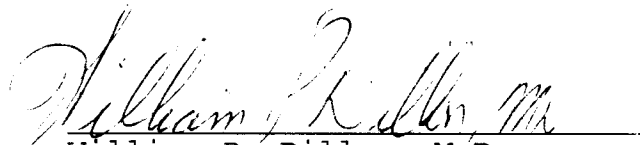
Upon the proposed agreement of WILLIAM A. LOCKYER, M.D., to Surrender his license as a physician in the State of New York, which proposed agreement is made a part hereof, it is AGREED TO and

ORDERED, that the proposed agreement and the provisions thereof are hereby adopted; 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 be effective upon issuance by the Board, which may be accomplished by mailing, by first class mail, a copy of this Order to Respondent at the address set forth in this agreement or to Respondent's attorney, or upon transmissions via facsimile to Respondent or Respondent's attorney, whichever is earliest.

DATED: 7/1/99



William P. Dillon, M.D.
Chair
State Board for Professional
Medical Conduct

EXHIBIT A

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

-----X

IN THE MATTER : STATEMENT
OF : OF
WILLIAM A. LOCKYER, M.D. : CHARGES

-----X

WILLIAM A. LOCKYER, M.D., the Respondent, was authorized to practice medicine in New York State on April 27, 1979 by the issuance of license number 137962 by the New York State Education Department.

FACTUAL ALLEGATIONS

A. On or about December 1, 1998, the Medical Board of California, (hereinafter "California Board"), by a Decision, adopted a Proposed Decision of the Administrative Law Judge, (hereinafter "California Proposed Decision"). The California Proposed Decision, among other things, revoked the Respondent's license to practice medicine and ordered the Respondent to pay \$38,597.27 in costs.

B. The California Proposed Decision, referred to in Paragraph A above, among other things, found that with regard to one patient, "The evidence is clear and convincing that respondent's conduct constituted an extreme departure from the

standard of practice, unprofessional conduct, sexual misconduct, and gross negligence." It also found, with regard to a second patient, "The evidence was clear and convincing that respondent engaged in inappropriate sexual behavior and physical contact with patient V. F., which constituted an extreme departure from the standard of care, unprofessional conduct, sexual misconduct and gross negligence," "respondent's examination of V. F.'s abdominal, genital and/or inguinal areas constituted an extreme departure from the standard of care, unprofessional conduct, gross negligence and sexual misconduct," and "Respondent's failure to accurately and completely record the extent of his examination of patient V. F. and to provide medical reasons for an examination beyond that required by the asthma study protocol constitutes an extreme departure from the standard of care and unprofessional conduct, and gross negligence."

C. The California Proposed Decision, referred to in Paragraph A and B above, was based on an Accusation dated October 2, 1997 and an Amended Accusation dated August 12, 1998.

D. The conduct resulting in the California Board's disciplinary action against Respondent would constitute misconduct under the laws of New York State, pursuant to the following sections of New York State Law:

1. New York Education Law Section 6530 (4) (gross negligence); and/or

2. New York Education Law Section 6530 (20) (moral
unfitness); and/or

3. New York Education Law Section 6530 (22) (failure to
maintain accurate records).

SPECIFICATIONS

FIRST SPECIFICATION

Respondent is guilty of violating New York Education Law Section 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 committed in New York State, in that the Petitioner charges the following:

1. The facts in paragraphs A, B, C, and/or D.

SECOND SPECIFICATION

Respondent is guilty of professional misconduct under New York State Education Law Section 6530 (9) (d) by reason of his having had disciplinary action taken against him by a duly authorized professional disciplinary agency of another state, where the conduct resulting in the disciplinary action would, if committed in New York State, constitute professional misconduct under the laws of New York State, in that the Petitioner charges:

2. The facts in paragraphs A, B, C, and/or D.

DATED: _____, 1999
Albany, New York

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