



New York State Board for Professional Medical Conduct

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

Antonia C. Novello, M.D., M.P.H.
Commissioner
NYS Department of Health
Dennis P. Whalen
Executive Deputy Commissioner
NYS Department of Health
Anne F. Salle, Director
Office of Professional Medical Conduct

PUBLIC

April 13, 2000

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

CERTIFIED MAIL-RETURN RECEIPT REQUESTED

John Grauerholz, M.D.
624 York Lane S.E.
Leesburg, VA 20175

RE: License No. 140771

Dear Dr. Grauerholz:

Enclosed please find Order #BPMC 00-110 of the New York State Board for Professional Medical Conduct. This Order and any penalty provided therein goes into effect **April 13, 2000**.

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: Michael A. Moroney, Esq.
10 Washington Street, PO Box 905
Morristown, NJ 07963-0905

Robert Bogan, Esq.

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

**IN THE MATTER
OF
JOHN EDWARD GRAUERHOLZ, M.D.**

**SURRENDER
ORDER**
BPMC #00-110

JOHN EDWARD GRAUERHOLZ, M.D., says:

On or about December 7, 1979, I was licensed to practice medicine as a physician in the State of New York having been issued License No. 140771 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 the New York State Board for Professional Medical Conduct has charged me 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 hereby agree not to contest the two (2) specifications set forth in the Statement of Charges (Exhibit A).

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 Board grants my Application, as set forth herein, an order of the Chairperson of the Board shall be issued in accordance with same 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 first.

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

Date: 3/23, 2000


JOHN EDWARD GRAUERHOLZ, M.D.
Respondent

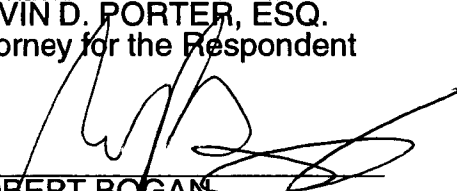
AGREED TO:

Date: _____, 2000


Date: 3 April, 2000

Date: April 4, 2000

KEVIN D. PORTER, ESQ.
Attorney for the Respondent



ROBERT BOGAN
Assistant Counsel
Bureau of Professional
Medical Conduct



ANNE F. SAILE
Director, Office of
Professional Medical Conduct

ORDER

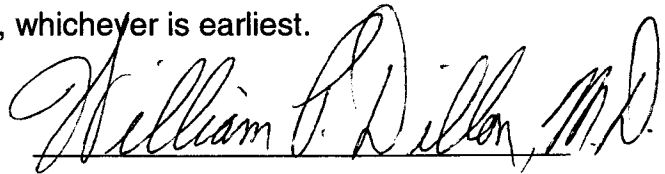
Upon the proposed agreement of JOHN EDWARD GRAUERHOLZ, M.D., to Surrender his license as a physician in the State of New York, which proposed agreement is made a part hereof, it is AGREED TO and

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 to Respondent's attorney at the addresses set forth in this agreement, or upon transmission via facsimilie to Respondent or Respondent's attorney, whichever is earliest.

DATED: 4/10/00



WILLIAM P. DILLON, M.D.
Chair
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
JOHN EDWARD GRAUERHOLZ, M.D.	CHARGES

-----X

JOHN EDWARD GRAUERHOLZ, M.D., the Respondent, was authorized to practice medicine in New York state on December 7, 1979, by the issuance of license number 140771 by the New York State Education Department.

FACTUAL ALLEGATIONS

A. On or about July 15, 1999, the Commonwealth of Virginia, Department of Health Professions, Board of Medicine, (hereinafter "Virginia Board"), by an Order, (hereinafter "Virginia Order"), that placed Respondent's license on indefinite probation with terms and conditions to include no clinical practice and no direct patient care, required him to submit a detailed report from his current healing physician, and required him to meet within ninety (90) days with the Board's Psychiatric Consultant, based on his administration of intravenous aloe vera substances, substances not approved by the FDA for treatment of cancer and for which he was not authorized by the FDA to sponsor clinical investigative trials, to cancer patients on four (4) occasions and that he did not record the administrations of aloe vera in the patients' charts, and that he has had a lengthy period of depression for which he is being treated by a physician.

B. The conduct resulting in the Virginia 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 §6530(2) (practicing the profession fraudulently or beyond its authorized scope);
2. New York Education Law §6530(3) (negligence on more than one occasion);
3. New York Education Law §6530(5) (incompetence on more than one occasion);
4. New York Education Law §6530(16) (failure to comply with federal, state or local laws, rules, or regulations governing the practice of medicine);
5. New York Education Law §6530(32) (failing to maintain accurate records); and/or
6. New York Education Law §6530(35) (ordering of excessive tests, treatment, or use of treatment facilities not warranted by the condition of the patient).

SPECIFICATIONS

FIRST SPECIFICATION

Respondent is charged with professional misconduct by reason of his having violated New York Education Law §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 under the laws of New York state, in that the Petitioner charges:

1. The facts in paragraphs A and/or B.

SECOND SPECIFICATION

Respondent is charged with professional misconduct by reason of his having violated New York State Education Law §6530(9)(d) by reason of his having had disciplinary action taken against him after a disciplinary action was instituted 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 and/or B.

DATED: *Jan. 28*, 2000
Albany, New York


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