



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., Dr. P.H.
*Commissioner
NYS Department of Health*

Dennis P. Whalen
*Executive Deputy Commissioner
NYS Department of Health*

Dennis J. Graziano, Director
Office of Professional Medical Conduct

William P. Dillon, M.D.
Chair

Michael A. Gonzalez, R.P.A.
Vice Chair

Ansel R. Marks, M.D., J.D.
Executive Secretary

PUBLIC

March 25, 2003

CERTIFIED MAIL-RETURN RECEIPT REQUESTED

Dante S. Bruno, M.D.
1020 Bill Tuck Highway
Suite A
South Boston, VA 24592

RE: License No. 141590

Dear Dr. Bruno:

Enclosed please find the Modification/Surrender Order to Order #BPMC 99-305 of the New York State Board for Professional Medical Conduct. This Order and any penalty provided therein goes into effect March 25, 2003.

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: Peter Henner, Esq.
P.O. Box 326
Clarksville, NY 12041-0326

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

IN THE MATTER

OF

DANTE S. BRUNO, M.D.

APPLICATION TO
: MODIFY ORDER
and
: SURRENDER LICENSE
: BPMC #

DANTE S. BRUNO, M.D., Respondent, states that I was authorized to practice medicine in New York State on April 4, 1980, by the issuance of License No. 141590 by the New York State Education Department.

I am currently registered with the New York State Education Department to practice in the State of New York. My address is 1020 Bill Tuck Highway, Suite A, South Boston, Virginia 24592.

I am the subject of BPMC Order No. 99-305 annexed hereto, made a part hereof, and marked as Exhibit 1. I am applying to the State Board for Professional Medical Conduct for an Order (henceforth "Modification/Surrender Order"), modifying the original order with the surrender of my license to practice medicine in the State of New York. This application to modify the prior order is based upon the fact that I do not intend to return to medical practice in the State of New York, and upon the understanding that this modification/surrender order will be a revision of the original order, with the surrender predicated upon the same matter as was the original order. The modification/surrender order to be issued will not constitute a new disciplinary action against me, but will substitute license surrender the for sanction imposed by the original order.

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

I understand that, in the event that the application is not granted by the Board, nothing contained herein shall be binding upon me or construed to be an admission of any act of misconduct alleged or charged against me.

I make this application to the Board and request that it be granted by execution by the Chairperson of the Board of the attached modification/surrender order. I agree that, in the event the Board 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. In consideration of the Board's granting of this application to modify my prior order, I fully, freely waive any right I may have to appeal or otherwise challenge the validity of the said modification/surrender order.

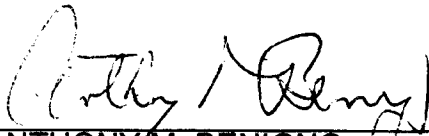
DATE: MARCH 6, 2003

Dante S. Bruno, M.D.

DANTE S. BRUNO, M.D.
Respondent

The undersigned agree to the attached application of the Respondent to modify the original order and to surrender his license to practice medicine in the State of New York.

Date: 3/17, 2003



ANTHONY M. BENIGNO
Associate Counsel
Bureau of Professional Medical Conduct

Date: 3/21, 2003



DENNIS J. GRAZIANO
Director
Office of Professional Medical Conduct

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

IN THE MATTER : MODIFICATION/
OF : SURRENDER ORDER
DANTE S. BRUNO, M.D. : BPMC #

Upon the application of DANTE S. BRUNO, M.D., (Respondent) to modify a prior order and to surrender his license as a physician in the State of New York, which application is made a part hereof, it is agreed to and

ORDERED, that the application and the provisions thereof are adopted; it is further

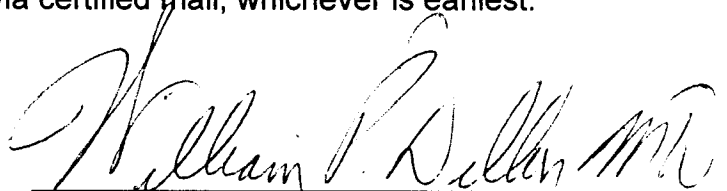
ORDERED, that Order BPMC No. 99-305 is modified to replace the sanction imposed with the surrender of Respondent's license to practice medicine in the State of New York; it is further

ORDERED, that Respondent's name shall be stricken from the roll of physicians in the State of New York; 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: 3/24/03



WILLIAM P. DILLON, M.D.
Chairperson
State Board for Professional Medical Conduct



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.
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Anne F. Saile, Director
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PUBLIC

William P. Dillon, M.D.
Chair

Denise M. Bolan, R.P.A.
Vice Chair

Ansel R. Marks, M.D., J.D.
Executive Secretary

December 10, 1999

CERTIFIED MAIL-RETURN RECEIPT REQUESTED

Dante Bruno, M.D.
1139 Bellevue Road
Halifax, VA 24558

RE: License No.: 141590

Dear Dr. Bruno:

Enclosed please find Order #BPMC 99-305 of the New York State Board for Professional Medical Conduct. This Order and any penalty provided therein goes into effect **December 10, 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: Peter Henner, Esq.
PO Box 326
Clarksville, NY 12041-0326

Valerie Donovan, Esq.

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

**IN THE MATTER
OF
DANTE BRUNO, M.D.**

**CONSENT
AGREEMENT
AND
ORDER**
BPMC#99-305

**STATE OF VIRGINIA)
COUNTY OF HALIFAX)**

DANTE BRUNO, M.D., (Respondent) states:

That on or about April 4, 1980, I was licensed to practice as a physician in the State of New York, having been issued License No. 141590 by the New York State Education Department.

My current address is 1139 Bellevue Road, Halifax, Virginia 24558, and I will advise the Director of the Office of Professional Medical Conduct of any change of my address.

I understand that the New York State Board for Professional Medical Conduct has charged me with four specifications of professional misconduct.

A copy of the Statement of Charges is annexed hereto, made a part hereof, and marked as Exhibit "A".

I admit guilt to the first specification, in full satisfaction of the charges against me. I hereby agree to the following penalty:

- 1. A Censure and Reprimand.**
- 2. A probationary period of five years, during which I must fully comply with the Terms of Probation attached hereto as Exhibit B.**

I further agree that the Consent Order for which I hereby apply shall impose the following conditions:

That, except during periods of actual suspension, Respondent shall maintain current registration of Respondent's license with the New York State Education Department Division of Professional Licensing Services, and pay all registration fees. This condition shall be in effect beginning thirty days after the effective date of the Consent Order and will continue while the licensee possesses his/her license; and

That Respondent shall fully cooperate in every respect with the Office of Professional Medical Conduct (OPMC) in its administration and enforcement of this Order and in its investigation of all matters regarding Respondent.

Respondent shall respond in a timely manner to each and every request by OPMC to provide written periodic verification of Respondent's compliance with the terms of this Order.

Respondent shall meet with a person designated by the Director of OPMC as directed. Respondent shall respond promptly and provide any and all documents and information within Respondent's control upon the direction of OPMC. This condition shall be in effect beginning upon the effective date of the Consent Order and will continue while the licensee possesses his/her license.

I hereby stipulate that any failure by me to comply with such conditions shall constitute misconduct as defined by New York State Education Law §6530(29)(McKinney Supp 1999).

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

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

I understand that, in the event that this Application is not granted by the Board, 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.

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. I agree that such order shall be effective upon issuance by the Board, which may be accomplished by mailing, by first class mail, a copy of the Consent Order to me at the address set forth in this agreement, or to my attorney, or upon transmission via facsimile to me or my attorney, whichever is earliest.

I am making this Application of my own free will and accord and not under duress, compulsion or restraint of any kind or manner. In consideration of the value to me of the acceptance by the Board of this Application, allowing me to resolve this matter without the various risks and burdens of a hearing on the merits, I knowingly waive any right I may have to contest the Consent Order for which I hereby apply, whether administratively or judicially, and ask that the Application be granted.

AFFIRMED:

DATED 11/4/99

Dante Bruno, D.P.
DANTE BRUNO, M.D.
Respondent

The undersigned agree to the attached application of the Respondent and to the proposed penalty based on the terms and conditions thereof.

DATE: November 8, 1999

Peter Henner
Peter Henner, Esq.
Attorney for Respondent

DATE: 11/15/99

Valerie B. Donovan
VALERIE B. DONOVAN
Assistant Counsel
Bureau of Professional
Medical Conduct

DATE: November 19, 1999

Anne Saile
ANNE F. SAILE
Director
Office of Professional
Medical Conduct

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

IN THE MATTER
OF
DANTE BRUNO, M.D.

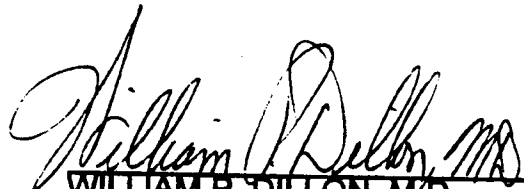
CONSENT
ORDER

Upon the proposed agreement of DANTE BRUNO, M.D. (Respondent) for Consent Order, which application is made a part hereof, it is agreed to and ORDERED, that the application and the provisions thereof are hereby adopted and so ORDERED, and 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 the Consent Order to Respondent at the address set forth in this agreement or to Respondent's attorney by certified mail, or upon transmission via facsimile to Respondent or Respondent's attorney, whichever is earliest.

SO ORDERED.

DATED: 12/7/99



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

IN THE MATTER : STATEMENT
OF : OF
DANTE BRUNO, M.D. : CHARGES

DANTE BRUNO, M.D., the Respondent, was authorized to practice medicine in New York State on April 4, 1980, by the issuance of license number 141590 by the New York State Education Department. Respondent is currently registered with the New York State Education Department to practice medicine.

FACTUAL ALLEGATIONS

- A. Respondent treated Patient A (patients are identified in Appendix A) on or about August 8, 1995 at approximately 12:15 A.M., at the Taconic Developmental Disabilities Services Office (TDDSO), R.R. #1, Box 27, Wassaic, New York 12592. Respondent's care of Patient A did not meet acceptable standards of care in that:
1. Respondent failed to adequately examine Patient A after being notified by a nurse that Patient A had fallen and had suffered head and back injuries.
 2. Respondent entered code number 99311, indicating that he had conducted an examination of Patient A, on TDDSO "Service Recording Form for Physician Activities," knowing that he had not done so.
- B. Respondent treated Patient A on or about September 10, 1995, at approximately 4:00 A.M. at the TDDSO. Respondent's care of Patient A did not meet acceptable standards of care in that:

1. Respondent failed to adequately examine Patient A, after being requested to see Patient A following a fall.
2. Respondent entered code number 99311, indicating that he had conducted an examination of Patient A, on TDDSO "Service Recording Form for Physician Activities," knowing that he had not done so.

C. Respondent treated Patient B on or about 1:00 P.M. on the afternoon of October 14, 1995, at the TDDSO. Respondent's care of Patient B did not meet acceptable standards of care in that:

1. Respondent failed to adequately examine Patient B after he had been requested to provide follow up care for Patient B's elevated temperature.
2. Respondent entered code number 99311, indicating that he had conducted an examination of Patient B, on TDDSO "Service Recording Form for Physician Activities," knowing he had not done so.
3. Respondent falsely wrote "PE - no significant change" on the TDDSO "Medical Notes" form regarding Patient B.

SPECIFICATIONS OF MISCONDUCT

FIRST SPECIFICATION

PRACTICING WITH NEGLIGENCE ON MORE THAN ONE OCCASION

The Respondent is charged with practicing the profession with negligence on more than one occasion within the meaning of N.Y. Educ. Law § 6530(3) in that Petitioner charges two or more of the following:

1. The facts in paragraphs A and A.1, A and A.2, B and B.1, B and B.2, C and C.1, C and C.2 and/or C and C.3.

SECOND SPECIFICATION

PRACTICING WITH INCOMPETENCE

ON MORE THAN ONE OCCASION

The Respondent is charged with practicing the profession with incompetence on more than one occasion within the meaning of N.Y. Educ. Law § 6530(5) in that the Petitioner charges two or more of the following:

2. The facts in paragraphs A and A.1, A and A.2, B and B.1, B and B.2, C and C.1, C and C.2 and/or C and C.3.

THIRD SPECIFICATION

PRACTICING FRAUDULENTLY

The Respondent is charged with practicing the profession fraudulently within the meaning of N.Y. Educ. Law § 6530(2) in that the Petitioner charges:

3. The facts in paragraphs A and A.2, B and B.2, C and C.2 and/or C and C.3.

FOURTH SPECIFICATION

INADEQUATE RECORDS

Respondent is charged with failing to maintain a record for each patient which accurately reflects the evaluation and treatment of the patient, in violation of New York Education Law § 6530(32), in that Petitioner charges:

4. The facts in Paragraphs A and A.2, B and B.2, C and C.2 and/or C and C.3.

DATED: *November 15, 1999*
Albany, New York

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

EXHIBIT "B"

Terms of Probation

1. Respondent shall conduct himself in all ways in a manner befitting his professional status, and shall conform fully to the moral and professional standards of conduct and obligations imposed by law and by his profession.
2. Respondent shall submit written notification to the New York State Department of Health addressed to the Director of the Office of Professional Medical Conduct, New York State Department of Health, 433 River Street, Suite 303, Troy, NY 12180-2299; said notice is to include a full description of any employment and practice, professional and residential addresses and telephone numbers within or without New York State, and any and all investigations, charges, convictions or disciplinary actions by any local, state or federal agency, institution or facility, within thirty days of each action.
3. The period of probation shall be tolled during periods in which Respondent is not engaged in the active practice of medicine in New York State. Respondent shall notify the Director of OPMC, in writing, if Respondent is not currently engaged in or intends to leave the active practice of medicine in New York State for a period of thirty (30) consecutive days or more. Respondent shall then notify the Director again prior to any change in that status. The period of probation shall resume and any terms of probation which were not fulfilled shall be fulfilled upon Respondent's return to practice in New York State.
4. Respondent's professional performance may be reviewed by the Director of OPMC. This review may include, but shall not be limited to, a review of office records, patient records and/or hospital charts, interviews with or periodic visits with Respondent and his/her staff at practice locations or OPMC offices.
5. Respondent shall maintain legible and complete medical records which accurately reflect the evaluation and treatment of patients. The medical records shall contain all information required by State rules and regulations regarding controlled substances.
6. Within thirty (30) days of the effective date of the Order, Respondent shall practice medicine only when monitored by a licensed physician, board certified in an appropriate specialty, ("practice monitor") proposed by Respondent and subject to the written approval of the Director of OPMC.
 - a. Respondent shall make available to the monitor any and all records or access to the practice requested by the monitor, including on-site observation. The practice monitor shall visit Respondent's medical practice at each and every location, on a random unannounced basis at least monthly and shall examine a selection (no less than ten percent) of records maintained by Respondent, including patient records, prescribing information and office records. The review will determine whether the Respondent's medical practice is conducted in accordance with the generally accepted standards of professional medical care. Any perceived deviation of accepted standards of medical care or refusal to

cooperate with the monitor shall be reported within 24 hours to OPMC.

- b. Respondent shall be solely responsible for all expenses associated with monitoring, including fees, if any, to the monitoring physician.
- c. Respondent shall cause the practice monitor to report quarterly, in writing, to the Director of OPMC.
- d. Respondent shall maintain medical malpractice insurance coverage with limits no less than \$2 million per occurrence and \$6 million per policy year, in accordance with Section 230(18)(b) of the Public Health Law. Proof of coverage shall be submitted to the Director of OPMC prior to Respondent's practice after the effective date of this Order.

7. Respondent shall comply with all terms, conditions, restrictions, limitations and penalties to which he or she is subject pursuant to the Order and shall assume and bear all costs related to compliance. Upon receipt of evidence of noncompliance with, or any violation of these terms, the Director of OPMC and/or the Board may initiate a violation of probation proceeding and/or any such other proceeding against Respondent as may be authorized pursuant to the law.