



**New York State Board for Professional Medical Conduct**

Corning Tower • Empire State Plaza • Albany, NY 12237 • (518) 474-8357

Barbara A. DeBuono, M.D., M.P.H.  
Commissioner of Health

Charles J. Vacanti, M.D.  
Chair

September 20, 1996

**CERTIFIED MAIL-RETURN RECEIPT REQUESTED**

Gary G. Piazza, D.O.  
7 Carriage Place  
Edison, New Jersey 08820

RE: License No. 150074

Dear Dr. Piazza:

Effective Date: 09/27/96

Enclosed please find Order #BPMC 96-217 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  
Empire State Plaza  
Tower Building-Room 438  
Albany, New York 12237-0756

Sincerely,

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

Enclosure

cc: Kevin Donovan, Esq.

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

-----X

IN THE MATTER :  
OF : ORDER  
GARY G. PIAZZA, D.O. : BPMC #96-217

-----X

Upon the Application of GARY G. PIAZZA, D.O., 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: \_\_\_\_\_

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  
GARY G. PIAZZA, D.O. : LICENSE

-----X

STATE OF NEW JERSEY )

ss.:

COUNTY OF MIDDLESEX )

GARY G. PIAZZA, D.O., being duly sworn, deposes and says:

On or about May 14, 1982, I was licensed to practice medicine as a physician in the State of New York having been issued License No. 150074 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 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".

I am applying to the State Board for Professional Medical

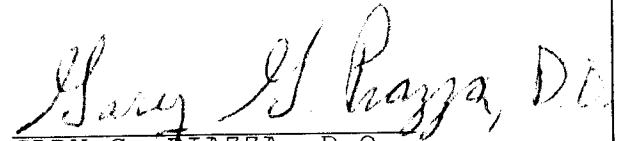
Conduct for permission to surrender my license as a physician in the State of New York on the grounds that I cannot successfully defend against the specifications.

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


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.

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.

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

  
GARY G. PIAZZA, D.O.  
Respondent

Sworn to before me this  
12 day of ~~July~~, 1996

  
\_\_\_\_\_  
NOTARY PUBLIC

ROY H. LUCE  
Notary Public, State of New York  
No. 01LU7614750  
Qualified in Nassau County  
Commission Expires March 30, 1998

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

-----X

IN THE MATTER : APPLICATION TO  
OF : SURRENDER  
GARY G. PIAZZA, D.O. : LICENSE

-----X

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

Date: Sept. 13, 1996

Gary G. Piazza, D.O.  
GARY G. PIAZZA, D.O.  
Respondent

Date: Sept. 16, 1996

Kevin P. Donovan  
KEVIN P. DONOVAN  
Associate Counsel  
Bureau of Professional  
Medical Conduct

Date: September 18 1996

Anne F. Saile  
ANNE F. SAILE  
ACTING DIRECTOR  
Office of Professional Medical  
Conduct

Date: October 1, 1996

Charles J. Vacanti, M.D.  
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  
GARY G. PIAZZA, D.O. : CHARGES

-----X

GARY G. PIAZZA, D.O., the Respondent, was authorized to practice medicine in New York State on May 14, 1982, by the issuance of license number 150074 by the New York State Education Department.

FACTUAL ALLEGATIONS

A. On February 2, 1994, in the Municipal Court of Edison, State of New Jersey, Respondent was convicted of the crime of possession of hydrocodone in violation of New Jersey Statute 2A:170-77.8. Respondent was sentenced to 30 days in jail and a \$500 fine; the jail time was suspended.

B. The act of which Respondent was convicted would, if committed in this state, have been a crime under New York state law, namely possession of a controlled substance in violation of New York Penal Law section 220.03 (McKinney 1989).

C. By Consent Order filed March 13, 1996, Respondent surrendered his license to the New Jersey State Board of Medical Examiners; the conduct underlying this disciplinary action was

writing prescriptions for Vicodin ES in the name of relatives, which prescriptions were for his own use, and prescribing without a valid Drug Enforcement Administration registration.

D. The conduct underlying the discipline of Respondent in New Jersey would, if committed in New York State, constitute professional misconduct under the laws of New York State, namely practicing the profession fraudulently within the meaning of New York Education Law § 6530 (2) (McKinney Supp. 1996), and moral unfitness within the meaning of New York Education Law § 6530 (20) (McKinney Supp. 1996).

#### SPECIFICATIONS OF MISCONDUCT

##### FIRST SPECIFICATION

###### CONVICTION OF A CRIME IN ANOTHER STATE

Respondent is charged with professional misconduct within the meaning of New York Education Law § 6530(9)(a)(iii) (McKinney Supp. 1996) in that he was convicted of an act constituting a crime under the law of another jurisdiction which, if committed within this state, would have committed a crime under New York state law, in that Petitioner charges:

1. The facts of paragraphs A and B.

##### SECOND SPECIFICATION

###### DISCIPLINARY ACTION BY ANOTHER STATE

Respondent is charged with professional misconduct within the meaning of New York Education Law § 6530(9)(d) (McKinney Supp. 1996) in that he had disciplinary action taken against his



