



New York State Board for Professional Medical Conduct
433 River Street, Suite 303 • Troy, New York 12180-2299 • (518) 402-0863

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NYS Department of Health

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NYS Department of Health

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Office of Professional Medical Conduct

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

PUBLIC

September 27, 2002

CERTIFIED MAIL-RETURN RECEIPT REQUESTED

Gualberto R. Dinglasan, M.D.
130 West Alostia Avenue, #322
Glendora, CA 91740

RE: License No. 152810

Dear Dr. Dinglasan:

Enclosed please find Order #BPMC 02-298 of the New York State Board for Professional Medical Conduct. This Order and any penalty provided therein goes into effect September 27, 2002.

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

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

IN THE MATTER

SURRENDER

OF

ORDER

GUALBERTO R. DINGLASAN, M.D.
CO-02-05-2526-A

BPMC No. 02-298

GUALBERTO R. DINGLASAN, M.D., says:

On or about December 17, 1982, I was licensed to practice medicine as a physician in the State of New York having been issued License No. 152810 by the New York State Education Department. I currently reside at 130 West Alostia Avenue, #322, Glendora, CA 91740.

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 three (3) 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 three (3) 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 of manner.

Date: September 18, 2002



GUALBERTO R. DINGLASAN, M.D.
Respondent

AGREED TO: *

Date: 23 September, 2002


ROBERT BOGAN
Associate Counsel
Bureau of Professional Medical
Conduct

Date: 26 September 2002


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
OF
GUALBERTO R. DINGLASAN, M.D.
CO-02-05-2526-A

STATEMENT
OF
CHARGES

GUALBERTO R. DINGLASAN, M.D., the Respondent, was authorized to practice medicine in New York state on December 17, 1982, by the issuance of license number 152810 by the New York State Education Department.

FACTUAL ALLEGATIONS

A. On or about January 28, 2000, in the Superior Court of the State of California, County of Los Angeles, Respondent was convicted, based on a plea of nolo contendere, of one (1) count of a violation Penal Code Section 422, a felony substantially related, by its facts and circumstances, to the functions duties, and qualifications of a medical licensee, and sentenced to five (5) years formal probation, fines and restitution totaling \$400.00, 300 hours community service, and a 52 week program of domestic violence.

B. On or about February 22, 2002, the Division of Medical Quality Medical Board of California, Department of Consumer Affairs, (hereinafter "California Board"), by a Decision after Nonadoption (hereinafter "California Decision"), revoked Respondent's license to practice medicine, stayed the revocation, placed him on five (5) years probation with terms and conditions, required him to undergo a psychiatric evaluation, and required him to pay \$6,728.25 costs of investigation, based on the conviction set forth in Paragraph A above.

c. The conduct resulting in the California Board 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 (9)(a)(i) (being convicted of a crime under state law).

SPECIFICATIONS

FIRST SPECIFICATION

Respondent violated New York Education Law §6530(9)(a)(iii) by having been convicted of committing an act constituting a crime under the law of another jurisdiction and which, if committed within New York state, would have constituted a crime under New York state law, in that Petitioner charges:

1. The facts in Paragraph A.

SECOND SPECIFICATION

Respondent violated New York Education Law §6530(9)(b) by 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 Petitioner charges:


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

THIRD SPECIFICATION

Respondent violated New York Education Law §6530(9)(d) by having his license revoked or having other disciplinary action taken after a disciplinary action was instituted by a duly authorized professional disciplinary agency of another state, where the conduct resulting in the revocation or other disciplinary action would, if committed in New York State, constitute professional misconduct under the laws of New York state, in that Petitioner charges:

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

DATED: *September 4*, 2002
Albany, New York


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

ORDER


Upon the proposed agreement of **GUALBERTO R. DINGLASAN, 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 the 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 at the addresses set forth in this agreement or to Respondent's attorney or upon transmission via facsimile to Respondent or Respondent's attorney, whichever is earliest.

DATED: September 26, 2002


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