



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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Office of Professional Medical Conduct

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

November 5, 2007

CERTIFIED MAIL-RETURN RECEIPT REQUESTED

Jeffrey A. Gilles, M.D.
P.O. Box 60910
Colorado Springs, CO 80960

Re: License No. 154130

Dear Dr. Gilles:

Enclosed is a copy of Order #BPMC 07-241 of the New York State Board for Professional Medical Conduct. This order and any penalty provided therein goes into effect November 12, 2007.

If the penalty imposed by this Order is a surrender, revocation or suspension, you are required to deliver your license and registration within five (5) days of receipt of this Order and return it to the Office of Professional Medical Conduct, New York State Department of Health, 433 River Street, Suite 303, Troy, NY 12180-2299

Sincerely,

Ansel R. Marks, M.D., J.D.
Executive Secretary
Board for Professional Medical Conduct

Enclosure

cc: Leslie R. Lewis, Esq.
23 Genesee Street
New Hartford, NY 13413

IN THE MATTER
OF
JEFFREY A. GILLES, M.D.

CONSENT
ORDER
BPMC No. #07-241

Upon the application of (Respondent), **JEFFREY A. GILLES, M.D.** in the attached Consent Agreement and Order, which is made a part of this Consent Order, it is

ORDERED, that the Consent Agreement, and its terms, are adopted and it is further

ORDERED, that this Consent Order shall be effective upon issuance by the Board, either by mailing of a copy of this Consent Order, either

by first class mail to Respondent at the address in the attached Consent Agreement or by certified mail to Respondent's attorney, or

upon facsimile transmission to Respondent or Respondent's attorney, whichever is first.

SO ORDERED.

DATED: 11/2/07



KENDRICK A. SEARS, 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
OF
JEFFREY A. GILLES, M.D.
CO-07-06-3482-A

CONSENT
AGREEMENT
AND ORDER

JEFFREY A. GILLES, M.D., representing that all of the following statements are true, deposes and says:

That on or about May 20, 1983, I was licensed to practice as a physician in the State of New York, and issued License No. 154130 by the New York State Education Department.

My current address is P.O. Box 60910, Colorado Springs, CO 80960, and I will advise the Director of the Office of Professional Medical Conduct of any change of my address within thirty (30) days, thereof.

I understand that the New York State Board for Professional Medical Conduct (Board) has charged me with two (2) Specifications of professional misconduct.

A copy of the Statement of Charges, marked as Exhibit "A", is attached to and part of this Consent Agreement.

I do not contest Factual Allegations A, B, and C(2) and the Fourth Specification, in full satisfaction of the charges against me, and agree to the following penalty:

Censure and Reprimand.

Respondent shall comply fully with the February 9, 2007, Consent Order of the State of Illinois, Department of Financial and Professional Regulation, Division of Professional Regulation (hereinafter "Illinois Board") and any extension or modification thereof.

Respondent shall provide a written authorization for the Illinois Board to provide the Director of OPMC with any/all information or documentation as requested by OPMC to enable OPMC to determine whether Respondent is in compliance with the Illinois Order.

Respondent shall submit semi-annually a signed Compliance Declaration to the Director of OPMC, which truthfully attests whether Respondent has been in compliance with the Illinois Order during the declaration period specified.

I further agree that the Consent Order shall impose the following conditions:

That Respondent shall remain in continuous compliance with all requirements of New York Education Law § 6502 including but not limited to the requirements that a licensee shall register and continue to be registered with the New York State Education Department (except during periods of actual suspension) and that a licensee shall pay all registration fees. Respondent shall not exercise the option provided in New York Education Law § 6502(4) to avoid registration and payment of fees. This condition shall take effect 30 days after the Consent Order's effective date and will continue so long as Respondent remains a licensee in New York State; and

That Respondent shall cooperate fully with the Office of Professional Medical Conduct (OPMC) in its administration and enforcement of this Consent Order and in its investigations of matters concerning Respondent. Respondent shall respond in a timely manner to all OPMC requests for written periodic verification of Respondent's compliance with this Consent Order. Respondent shall meet with a person designated by the Director of OPMC, as directed. Respondent shall respond promptly and provide all documents and information within Respondent's control, as directed. This condition shall take effect upon the Board's issuance of the Consent Order and will continue so long as Respondent remains licensed in New York State.

I stipulate that my failure to comply with any conditions of this Consent Order shall constitute misconduct as defined by New York Education Law § 6530(29).

I agree that, if I am charged with professional misconduct in future, this Consent Agreement and Order shall be admitted into evidence in that proceeding.

I ask the Board to adopt this Consent Agreement.

I understand that if the Board does not adopt this Consent Agreement, none of its terms shall bind me or constitute an admission of any of the acts of alleged misconduct; this Consent Agreement shall not be used against me in any way and shall be kept in strict confidence; and the Board's denial shall be without prejudice to the pending disciplinary proceeding and the Board's final determination pursuant to New York Public Health Law.

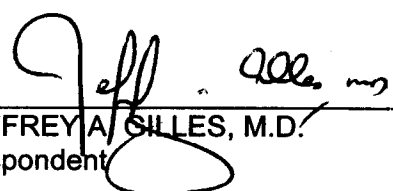
I agree that, if the Board adopts this Consent Agreement, the Chair of the Board shall issue a Consent Order in accordance with its terms. I agree that this Consent Order shall take effect upon its issuance by the Board, either by mailing of a copy of the Consent Order by first class mail to me at the address in this Consent Agreement, or to my attorney by certified mail, or upon facsimile transmission to me or my attorney, whichever is first. The Consent Order, this agreement, and all attached Exhibits shall be public documents, with only patient identities, if any, redacted. As public documents, they may be posted on the Department's website.

I stipulate that the proposed sanction and Consent Order are authorized by New York Public Health Law §§ 230 and 230-a, and that the Board and OPMC have the requisite powers to carry out all included terms. I ask the Board to adopt this Consent Agreement of my own free will and not under duress, compulsion or restraint. In consideration of the value to me of the Board's adoption of this Consent Agreement, allowing me to resolve this matter without the various risks and burdens of a hearing on the merits, I knowingly waive my right to contest the Consent Order for which I apply, whether administratively or judicially, I agree to be bound by the Consent Order, and I ask that the Board adopt this Consent Agreement.

I understand and agree that the attorney for the Department, the Director of OPMC and the Chair of the Board each retain complete discretion either to enter into the proposed agreement and Consent Order, based upon my application, or to decline to do so. I further understand and agree that no prior or separate written or oral communication can limit that discretion.

AFFIRMED:


DATED: 10/12/07



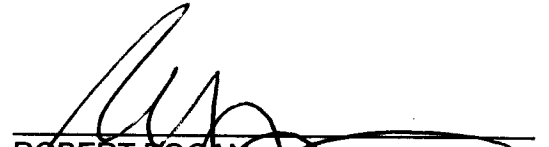
JEFFREY A. GILLES, M.D.
Respondent

The undersigned agree to Respondent's attached Consent Agreement and to its proposed penalty, terms and conditions.

DATE: 10/15/07


LESLIE R. LEWIS
Attorney for Respondent

DATE: 24 October 2007


ROBERT BOGAN
Associate Counsel
Bureau of Professional Medical Conduct

DATE: 11/1/07


KEITH W. SERVIS
Director
Office of Professional Medical Conduct

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

IN THE MATTER
OF
JEFFREY A. GILLES, M.D.
CO-07-06-3482-A

STATEMENT
OF
CHARGES

JEFFREY A. GILLES, M.D., Respondent, was authorized to practice medicine in New York state on May 20, 1983, by the issuance of license number 154130 by the New York State Education Department.

FACTUAL ALLEGATIONS

A. On or about December 1, 2005, the State of Illinois, Department of Financial and Professional Regulation, Division of Professional Regulation (hereinafter "Illinois Board") by an Order (hereinafter "Illinois Order 1"), Revoked Respondent's license to practice medicine, based on failure to provide patient medical records when requested, failure to provide information of moving his medical practice to patients still requiring treatment and examinations and a release to return to work and without making a referral to another physician or making provisions to provide continued treatment.

B. On or about February 9, 2007, the Illinois Board, by a Consent Order, (hereinafter "Illinois Order 2"), vacated the Revocation set forth in Paragraph A, above, and Reprimanded Respondent's license to practice medicine, based on his failure to provide requested patient medical records in a timely fashion, and placed him on indefinite probation during which he was required, inter alia, to pay a \$1,000.00 fine and complete ten (10) hours of CME on the subject of medical recordkeeping.

C. The conduct resulting in the Illinois 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(3) (negligence on more than one occasion);
and/or
2. New York Education Law §6530(4) (failing to provide access by qualified persons to patient information).

SPECIFICATIONS

FIRST AND SECOND SPECIFICATIONS

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:

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

THIRD AND FOURTH SPECIFICATIONS

Respondent violated New York Education Law §6530(9)(d) by having his license to practice medicine revoked and/or having other disciplinary action taken by a duly authorized professional disciplinary agency of another state, where the conduct resulting in the revocation and/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 and/or C.
4. The facts in Paragraphs A, B, and/or C.

DATED: *Oct. 18*, 2007
Albany, New York


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