



***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**

September 27, 2002

***CERTIFIED MAIL-RETURN RECEIPT REQUESTED***

Donato Marucci, M.D.  
Inmate No. 21564050  
Federal Correctional Institute  
P.O. Box 1000  
Fort Dix, NJ 08640

RE: License No. 156172

Dear Dr. Marucci:

Enclosed please find Order #BPMC 02-297 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

cc: Robert L. Penza, Esq.  
Walder, Hayden and Brogan, PA  
5 Becker Farm Road  
Roseland, NJ 07068-1727

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

---

**IN THE MATTER**  
**OF**  
**DONATO MARUCCI, M.D.**  
**CO-99-01-5480-A**

**SURRENDER**  
**ORDER**  
BPMC No. 02-297

---

**DONATO MARUCCI, M.D.,** says:

On or about October 17, 1983, I was licensed to practice medicine as a physician in the State of New York having been issued License No. 156172 by the New York State Education Department. I currently reside at 169 Devon Road, Essex Fells, NJ 07021.

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 one (1) specification 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 one (1) specification set forth in the Statement of Charges (Exhibit A).

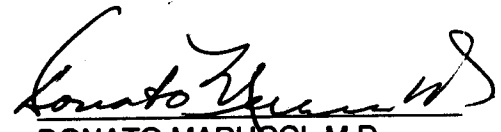
I understand that in the event that this proposed agreement is not granted by the State Board for Professional Medical Conduct, nothing contained herein shall be binding upon me or construed to be an admission of any act of misconduct alleged or charged against me, such proposed agreement shall not be 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: 9/17, 2002


  
DONATO MARUCCI, M.D.  
Respondent

AGREED TO:

Date: 23 Sep 17, 2002

  
ROBERT BOGAN  
Associate Counsel  
Bureau of Professional Medical  
Conduct

Date: 26 September, 2002

  
DENNIS J. GRAZIANO  
Director, Office of Professional  
Medical Conduct

**ORDER**

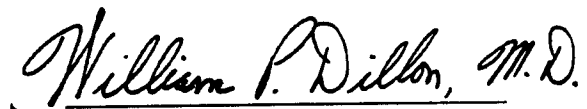
Upon the proposed agreement of **DONATO MARUCCI, M.D.**, to Surrender his license as a physician in the State of New York, which proposed agreement is made a part hereof, it is **AGREED TO** and

**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

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

---

IN THE MATTER  
OF  
DONATO MARUCCI, M.D.  
CO-99-01-5480-A

---

STATEMENT  
OF  
CHARGES

**DONATO MARUCCI, M.D.**, the Respondent, was authorized to practice medicine in New York state on October 17, 1983, by the issuance of license number 156172 by the New York State Education Department.

**FACTUAL ALLEGATIONS**

A. On or about August 14, 1998, in the United States District Court, District of New Jersey, Respondent was found guilty, based on a plea of guilty, of one (1) count of Conspiracy to Commit Bribery, a felony, in violation of U.S. Code, Title 18, Section 371 (18 U.S.C. 666(a) (2)) and on or about May 17, 2002, was sentenced to one twelve (12) months and one (1) day imprisonment, to pay \$135,640.09 restitution and a \$50.00 special assessment, and three (3) years supervised release upon release from imprisonment.

**SPECIFICATION**

Respondent violated New York Education Law 6530(9)(a)(ii) by being convicted of committing an act constituting a crime under federal law, in that Petitioner charges:

1. The facts in Paragraph A.

DATED: *May 24*, 2002  
Albany, New York



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