

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

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IN THE MATTER : COMMISSIONER'S  
OF : SUMMARY  
BENITO ROSERO, M.D. : ORDER

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TO: BENITO ROSERO, M.D.  
109 AMBLER ROAD  
CHERRY HILL, N.J. 08002

The undersigned, Barbara A. DeBuono, M.D., M.P.H.,  
Commissioner of Health of the State of New York, pursuant to N.Y.  
Public Health Law §230, upon the recommendation of a Committee on  
Professional Medical Conduct, has determined that the duly  
authorized professional disciplinary agency of another  
jurisdiction has made a finding substantially equivalent to a  
finding that the practice of medicine by BENITO ROSERO, M.D. (the  
Respondent) in that jurisdiction constitutes an imminent danger  
to the health of its people, as is more fully set forth in the  
attached Statement of Facts Supporting Summary Order of  
Suspension, and the documents filed with the New Jersey Board of  
Medical Examiners (annexed as Exhibit A), and made a part hereof.

Accordingly, it is hereby


ORDERED, pursuant to N.Y. Public Health Law §230(12)(b),  
that effective immediately, Respondent shall not practice  
medicine in the State of New York. This Order shall remain in  
effect unless modified or vacated by the Commissioner of Health  
pursuant to N.Y. Public Health Law §230(12).

PLEASE TAKE NOTICE that a hearing will be held pursuant to  
the provisions of N.Y. Public Health Law §230, and N.Y. State

Admin. Proc. Act §§301-307 and 401. The hearing will be conducted before a committee on professional conduct of the State Board for Professional Medical Conduct and shall commence within thirty days after the disciplinary proceedings commenced against Respondent in New Jersey by Order to Show Cause on November 3, 1997 are finally concluded (N.Y. Public Health Law §230(12)(b)). The date and location of this hearing will be set forth in a written Notice of Summary Hearing and Statement of Charges to be provided to the Respondent at a later date. The written Notice and Statement of Charges may be provided in person, by mail or by other means. If Respondent wishes to be provided with this written Notice at an address other than the one noted above, he shall notify both the attorney whose name is set forth in this Order and the Director of the Bureau of Adjudication, New York State Department of Health, Hedley Park Place, 5th Floor, 433 River Street, Troy, New York 12180, (518) 402-0748.

THESE PROCEEDINGS MAY RESULT IN A DETERMINATION THAT YOUR LICENSE TO PRACTICE MEDICINE IN NEW YORK BE REVOKED OR SUSPENDED, AND/OR THAT YOU BE FINED OR SUBJECT TO OTHER SANCTIONS SET FORTH IN NEW YORK PUBLIC HEALTH LAW §230-a. YOU ARE URGED TO OBTAIN AN ATTORNEY TO REPRESENT YOU IN THIS MATTER.

DATED: Albany, New York  
March 10, 1998

  
BARBARA A. DEBUONO, M.D., M.P.H.  
Commissioner of Health

Inquiries should be directed to:

WAYNE E. OLINZOCK  
Assistant Counsel - BPMC  
N.Y.S. Department of Health  
Division of Legal Affairs  
Corning Tower Building, Room 2509  
Empire State Plaza  
Albany, New York 12237-0026

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

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IN THE MATTER : STATEMENT OF FACTS  
OF : SUPPORTING SUMMARY  
BENITO ROSERO, M.D. : ORDER OF SUSPENSION

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BENITO ROSERO, M.D., the Respondent, was licensed to practice medicine in New York State on or about August 13, 1984 by the issuance of license number 159621 by the New York State Education Department.

**FACTUAL ALLEGATIONS**

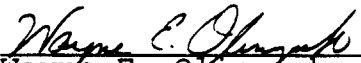
By order to show cause dated November 3, 1997 the Attorney General of New Jersey initiated disciplinary proceedings against BENITO ROSERO, M.D. (hereinafter, Respondent) based upon allegations of improper sexual touchings and/or sexual harassment of two patients and not fewer than two employees. The Attorney General alleged that the actions of Respondent constituted a clear and imminent public danger requiring temporary suspension of his medical license pending a plenary hearing.

By Order of the New Jersey State Board of Medical Examiners dated November 13, 1997, Respondent agreed to the temporary suspension of his New Jersey medical license pending a plenary hearing. Pursuant to New Jersey Statutes Annotated 45:1-22(e), a temporary order of suspension cannot be entered:

... unless the application made to the board palpably demonstrates a clear and imminent danger to the public health, safety and welfare and notice of such application is given to the licensee affected by such order.

Upon information and belief, the plenary hearing in New Jersey is scheduled to take place in March, 1998.

Dated: March 10, 1998  
Albany, New York

  
Wayne E. Quinzock  
Assistant Counsel  
Bureau of Professional  
Medical Conduct