



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

November 1, 1996

CERTIFIED MAIL-RETURN RECEIPT REQUESTED

Arthur Rosenblatt, M.D.
18220 Gulf Boulevard
Redington Shores, Florida 33708

RE: License No. 160155

Dear Dr. Rosenblatt:

Effective Date: 11/08/96

Enclosed please find Order #BPMC 96-261 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: Cindy Fascia, Esq.

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

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IN THE MATTER OF :
OF : ORDER
ARTHUR CHARLES ROSENBLATT, M.D. : BPMC #96-261

-----X

Upon the Application of ARTHUR CHARLES ROSENBLATT, M.D., 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: 31 October 1996

Charles J. Vacanti

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
ARTHUR CHARLES ROSENBLATT, M.D. : LICENSE

-----X

STATE OF FLORIDA)

ss.:

COUNTY OF PINELLAS)

ARTHUR ROSENBLATT, M.D., being duly sworn, deposes and says:

On or about September 7, 1984, I was licensed to practice medicine as a physician in the State of New York having been issued License No. 160155 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 do not contest the charges, in that I was disciplined by the Florida Board as set forth in the Factual Allegations, and that I was adjudicated guilty of crimes in the Circuit Court of Hardee County, Florida, upon my pleas of nolo contendere, as set forth in the Factual Allegations. I understand that the New York Board's charges against me are based solely on the Florida Board's disciplinary action and my Florida criminal convictions, and that no additional misconduct is charged or alleged.

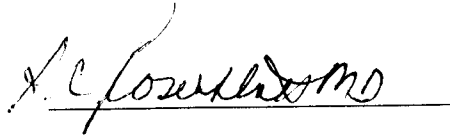
I hereby make this application to the State Board for Professional Medical Conduct and request that it be granted.

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.

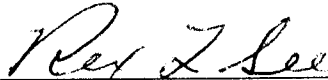
I am making this Application of my own free will and accord and not under duress, compulsion, or restraint of any kind or manner



ARTHUR ROSENBLATT, M.D.
Respondent

Sworn to before me this

22 day of *OCTOBER*, 1996


NOTARY PUBLIC

REX L SEE
My Commission CC462758
Expires May. 11, 1999
Bonded by ANB
800-852-5878

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

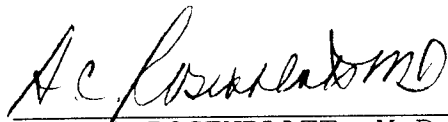
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IN THE MATTER : APPLICATION TO
OF : SURRENDER
ARTHUR CHARLES ROSENBLATT, M.D. : LICENSE


-----X

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

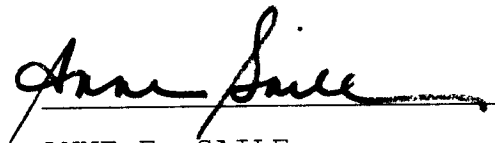
Date: Oct. 22, 1996


ARTHUR ROSENBLATT, M.D.
Respondent

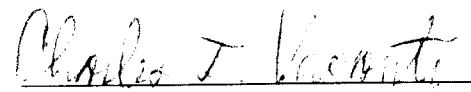
Date: Oct. 25, 1996


CINDY M. FASCIA
Associate Counsel
Bureau of Professional
Medical Conduct

Date: October 29, 1996


ANNE F. SAILE
ACTING DIRECTOR
Office of Professional Medical
Conduct

Date: 31 October, 1996


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 MATTE. : STATEMENT
OF : OF
ARTHUR CHARLES ROSENBLATT, M.D. : CHARGES

-----X

ARTHUR CHARLES ROSENBLATT, M.D., the Respondent, was authorized to practice medicine in New York State on September 7, 1984 by the issuance of license number 160155 by the New York State Education Department.

Respondent is not currently registered with the New York State Education Department.

FACTUAL ALLEGATIONS

1. The Florida Board of Medicine, on or about April 18, 1995, entered into a Consent Agreement with Respondent. Respondent agreed that the Consent Agreement would be dispositive of three Administrative Complaints previously filed against him by the Board. These complaints (93-20371, 93-15987 and 94-13163) charged Respondent with unprofessional conduct. The Florida Board, on or about August 30, 1995, issued a Final Order approving, adopting and incorporating the Consent Order in its entirety.

2. The Florida Board of Medicine, pursuant to said Consent Agreement and Final Order, suspended Respondent's license to

practice medicine in Florida for five years, and until Respondent appears before the Board and demonstrates that he can practice medicine with skill and safety to patients. Respondent, as part of his demonstration to the Board, must have a favorable psychiatric evaluation and psychiatric testing by a Board approved psychiatrist within sixty days prior to the Board's consideration of reinstatement. Respondent, within sixty days of the Board's Final Order, must enroll and successfully participate in the Physicians Recovery Network (PRN), must comply with all requirements established by PRN, and must continue participating in PRN until PRN determines that Respondent may be discharged. Respondent was also required to pay a fine of five thousand dollars (\$5,000), and was reprimanded by the Board. If Respondent's medical license is reinstated by the Florida Board, he will be placed on probation for a period and with terms and conditions to be set by the Board.

3. Respondent's conduct, as alleged and set forth in the Florida Board's Administrative Complaints, included being unable to practice medicine with reasonable skill and safety to patients by reason of illness or use of alcohol, drugs, narcotics, chemicals or any other type of material or as a result of any mental or physical condition in violation of Section 458.331(1)(s) Florida Statutes, in that Respondent used marijuana for recreational purposes and was diagnosed as having a mixed personality disorder with narcissistic, paranoid and anti-social features; prescribing or dispensing a legend drug, including any controlled substance, other than in the course of the physician's

professional practice in violation of Section 458.331(1)(q) Florida Statutes, in that Respondent provided prescriptions for Inderal and Xanax to a confidential informant working for the police and for the informant's "friend" without having examined either person, and provided Xanax to an inmate without having examined him; violating a lawful order of the Board of Medicine or the Department of Professional Regulation previously entered in a disciplinary hearing, in violation of Section 458.331(1)(x), in that Respondent was arrested and charged with possession with intent to sell marijuana and sale of marijuana, in violation of Section 893.13 Florida Statutes and in violation of the Florida Board's Final Order in the Department's Case No. 0095089 against Respondent, and in that Respondent was also arrested and charged with introducing contraband into a correctional facility and with delivery of a controlled substance contrary to Sections 893.13 and 951.22 Florida Statutes, and of said Final Order No. 0095089.

4. The conduct which resulted in the Florida Board's disciplinary action against Respondent would, if committed in New York State, constitute professional misconduct under the laws of New York State, including but not limited to N.Y. Educ. Law §6530(7) [practicing the profession while impaired by drugs or mental disability]; and/or N.Y. Educ. Law §6530(8) [having a psychiatric condition which impairs the licensee's ability to practice or being a habitual user of narcotics, barbiturates, amphetamines, hallucinogens, or other drugs having similar effects]; and/or N.Y. Educ. Law §6530(29) [violating any term of probation or condition or limitation imposed on the licensee

pursuant to section two hundred thirty of the public health law]; and/or N.Y. Public Health Law §3331 [prescribing and/or dispensing a controlled substance not in the course of professional practice].

5. Respondent, on or about July 22, 1994, in the Tenth Circuit Court of Hardee County, Florida, pleaded nolo contendere to the crime of introduction of contraband into a detention facility, in violation of Section 951.22 Florida Statutes, and to the crime of possession of marijuana, in violation of Section 893.0147 Florida Statutes. Respondent, after entering his pleas, was adjudicated guilty and convicted of said crimes. Respondent was sentenced to time served, five years probation, and to pay a fine of \$1,000.00, plus court costs. The terms of probation required that Respondent submit to substance abuse evaluation and treatment, that he abstain from drugs and alcohol, and that he perform one hundred hours of community service during each year of probation.

6. Respondent's acts which constituted a crime under Florida law would, if committed in New York, constitute a crime under New York state law, including but not limited to N.Y. Penal Law §205.20 [promoting prison contraband in the second degree].

SPECIFICATIONS OF MISCONDUCT

FIRST SPECIFICATION

Respondent is charged with professional misconduct under N.Y. Education Law §6530(9)(d) (McKinney Supp. 1996) by reason of having his license to practice medicine revoked, suspended or having other disciplinary action taken, where the conduct resulting in the revocation, suspension or other disciplinary action involving the license 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 1 through 4.

SECOND SPECIFICATION

Respondent is charged with professional misconduct under N.Y. Education Law §6530(9)(a)(iii) (McKinney Supp. 1996) by reason of his being 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:

2. The facts in Paragraphs 5 and 6.

DATED: *September 10*, 1996
Albany, New York


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