



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

C. Maynard Guest, M.D.
Executive Secretary

September 19, 1995

CERTIFIED MAIL-RETURN RECEIPT REQUESTED

Robert Cordero, M.D.
428 Berwick Circle
Deland, Florida 32724

RE: License No. 164071

Dear Dr. Cordero:

Effective Date: 09/26/95

Enclosed please find Order #BPMC 95-229 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

If the penalty imposed by the Order is a fine, please write the check payable to the New York State Department of Health. Noting the BPMC Order number on your remittance will assist in proper crediting. Payments should be directed to the following address:

Bureau of Accounts Management
New York State Department of Health
Empire State Plaza
Tower Building-Room 1245
Albany, New York 12237

Sincerely,

A handwritten signature in cursive script that reads "Charles Vacanti".

Charles Vacanti, M.D.
Chairman
Board for Professional Medical Conduct

Enclosure

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

**IN THE MATTER
OF
ROBERT CORDERO, M.D.**

**CONSENT
ORDER**
BPMC 95-229

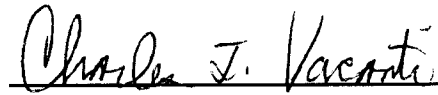
Upon the application of ROBERT CORDERO, M.D. (Respondent) for Consent Order, which application is made a part hereof, it is

ORDERED, that the application and the provisions thereof are hereby adopted and so ORDERED, and 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 by certified mail, whichever is earliest.

SO ORDERED.

DATED: 15 September 1995



CHARLES J. VACANTI, M.D.
Chairperson
State Board for Professional
Medical Conduct

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

IN THE MATTER
OF
ROBERT CORDERO, M.D.

APPLICATION
FOR
CONSENT ORDER

STATE OF FLORIDA)
COUNTY OF) ss.:

ROBERT CORDERO, M.D., being duly sworn, deposes and says:

That on or about August 15, 1985, I was licensed to practice as a physician in the State of New York, having been issued License No. 164071 by the New York State Education Department.

My current address is 428 Berwick Circle, Deland, Florida, 32724, and I will advise the Director of the Office of Professional Medical Conduct of any change of my address.

I understand that the New York State Board for Professional Medical Conduct has charged me with nineteen specifications of professional misconduct.

A copy of the Statement of Charges is annexed hereto, made a part hereof, and marked as Exhibit "A".

I admit guilt to the third through nineteenth specifications, in full satisfaction of the charges against me. I hereby agree to pay a \$15,000 fine, payable to the New York State Department of Health.

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

I understand that, in the event that this Application is not granted by the Board, 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 Board shall be made without prejudice to the continuance of any disciplinary proceeding and the final determination by the Board 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.

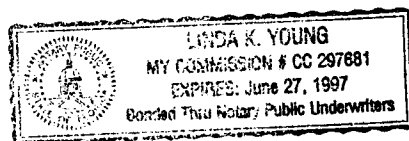
I am making this Application of my own free will and accord and not under duress, compulsion or restraint of any kind or manner.



ROBERT CORDERO, M.D.
RESPONDENT

Sworn to before me this

9th day of August, 19 95

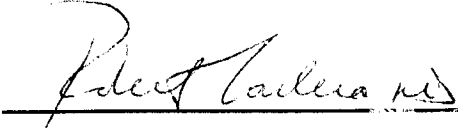

NOTARY PUBLIC

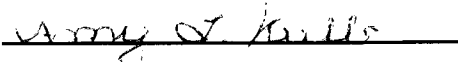
NEW YORK STATE DEPARTMENT OF HEALTH
STATE BOARD FOR PROFESSIONAL MEDICAL CONDUCT

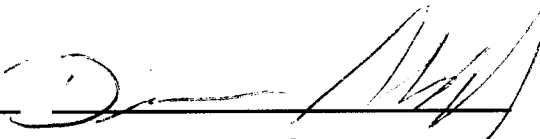
IN THE MATTER
OF
ROBERT CORDERO, M.D.

APPLICATION
FOR
CONSENT ORDER

The undersigned agree to the attached application of the Respondent and to the proposed penalty based on the terms and conditions thereof.

DATE: August 9th, 1995 
ROBERT CORDERO, M.D.
Respondent

DATE: September 6, 1995 
AMY KULB, ESQ.
Attorney for Respondent

DATE: September 1, 1995 
DIANNE ABELOFF
Associate Counsel
Bureau of Professional
Medical Conduct

DATE: 9/13/95

Kathleen M. Tanner

KM KATHLEEN M. TANNER
Director
Office of Professional Medical
Conduct

DATE: 15 September 1995

Charles J. Vacanti

CHARLES J. VACANTI, M.D.
Chairperson
State Board for Professional
Medical Conduct

**IN THE MATTER
OF
ROBERT CORDERO, M.D.**

**STATEMENT
OF
CHARGES**

ROBERT CORDERO, M.D., the Respondent, was authorized to practice medicine in New York State on or about August 15, 1985, by the issuance of license number 164071 by the New York State Education Department. During all times mentioned in the instant Charges, Respondent was enrolled as a physician provider with the New York State Medical Assistance Program holding Provider number 00905697. Patients A through H were recipients enrolled in the New York State Medical Assistance Program. (Patients A through H are identified in the attached Appendix along with their respective Medicaid identification numbers).

FACTUAL ALLEGATIONS

- A. On or about February 21, 1990 and on or about April 13, 1990, Respondent undertook the care and treatment of Patient A at a medical office located at 1814 Third Avenue, New York, N.Y. 10035 (hereinafter referred to as "the Third Avenue office").
1. On each visit by Patient A, Respondent failed to:
 - a. Obtain and note an adequate history.
 - b. Perform and note an adequate physical examination.

2. At either the February 21st or the April 13th visit, Respondent inappropriately prescribed:
 - a. Duricef
 - b. Prozac
 - c. Pepcid
 - d. Maalox
 - e. Naprosyn
 - f. Augmentin
 - g. Calan
 - h. Voltaren
 - i. Seldane
 - j. Ventolin

3. On the first visit of February 21, 1990, Respondent inappropriately ordered the following laboratories tests: protein, lipoprotein, hemoglobin electrophoreses, LDH and CPK isoenzymes, and hepatitis serologies.

4. Respondent failed to follow-up or attempt to follow-up on abnormal laboratory findings.

5. On one of Patient A's visits, Respondent inappropriately performed an electrocardiogram on Patient A.

6. Respondent failed to interpret and/or note in the chart an interpretation of the electrocardiogram he performed.

7. On each visit, Respondent failed to perform an adequate work-up and evaluation of Patient A's complaints and/or Respondent's diagnoses of peptic ulcer disease.

8. Respondent failed to maintain a record for Patient A which accurately reflects the patient's history, examination, diagnosis, tests, and treatment rendered.
- B. On or about March 14, 1990. Respondent undertook the care and treatment of Patient B at his Third Avenue Office.
1. Respondent failed to:
 - a. Obtain and note an adequate history.
 - b. Perform and note an adequate physical examination.
 2. Respondent inappropriately prescribed:
 - a. Ceclor
 - b. Zantac
 - c. Calan
 - d. Proventil
 3. Respondent failed to appropriately address medical problems that were checked off on the history intake, i.e. diabetes, kidney disease and drug abuse.

4. Respondent performed an audiogram without medical indication.
5. Respondent failed to maintain a record for Patient B which accurately reflects the patient's history, examination, diagnosis, tests, and treatment rendered.

C. On or about April 3, 1990, Respondent undertook the care and treatment of Patient C at his Third Avenue Office.

1. Respondent failed to:
 - a. Obtain and note an adequate history.
 - b. Perform and note an adequate physical examination.
2. Respondent inappropriately prescribed:
 - a. Ceclor
 - b. Axid
 - c. Maalox
 - d. Naprosyn
3. Respondent inappropriately ordered the following chemistries: protein, lipoprotein and hemoglobin electrophoreses, LDH and CPK isoenzymes, hepatitis serologies.
4. Respondent failed to follow-up or attempt to follow up with Patient C on her abnormal laboratory tests results.

5. Respondent failed to maintain a record for Patient C which accurately reflects the patient's history, examination, diagnosis, tests, and treatment rendered.
- D. On or about February 19, 1990 and April 23, 1990, Respondent undertook the care and treatment of Patient D at his Third Avenue office.
1. On each visit by Patient D, Respondent failed to:
 - a. Obtain and note an adequate history.
 - b. Perform and note an adequate physical examination.
 2. Respondent inappropriately prescribed:
 - a. Zantac
 - b. Maalox
 - c. Ventolin Inhaler
 - d. Augmentin on February 19, 1990 and Ceclor on April 23, 1990.
 3. Respondent inappropriately ordered and/or performed the following: hepatitis serologies, thyroid antibody titers and a hemoglobin

electrophoresis, spirometry and an audiogram.

4. Respondent failed to perform an adequate work-up and evaluation of Patient D's complaints and/or diagnoses of peptic ulcer disease, asthma, burning on urination, and knee pain.
5. Respondent failed to maintain a record for Patient D which accurately reflects the patient's history, examination, diagnosis, tests, and treatment rendered.

E. On or about March 22, 1990, Respondent undertook the care and treatment of Patient E at his Third Avenue office.

1. On each visit by Patient E, Respondent failed to:
 - a. Obtain and note an adequate history.
 - b. Perform and note an adequate physical examination.
2. Respondent inappropriately prescribed:
 - a. Augmentin
 - b. Zantac
 - c. Proventil
 - d. Theodur
3. Respondent failed to appropriately address the patient's complaint of

periumbilical rash.

4. Respondent performed and / or ordered the following tests without medical indication: audiogram, serology and immunology, thyroid, hepatitis, protein electrophoresis, alk. phos. isoenzymes, LDH isoenzymes.
- 5 Respondent failed to maintain a record for Patient E which accurately reflects the patient's history, examination, diagnosis, tests, and treatment rendered.

F. On or about May 2, 1990, Respondent undertook the care and treatment of Patient F at his Third Avenue office.

1. Respondent failed to:
 - a. Obtain and note an adequate history.
 - b. Perform and note an adequate physical examination.
1. Respondent inappropriately prescribed:
 - a. Zantac
 - b. Lotrisone Cream
 - c. Ceclor
 - d. Naprosyn
 - e. Maalox
2. Respondent performed and/or ordered the following tests without medical indication: audiogram and a battery of blood tests.

3. Respondent failed to maintain a record for Patient F which accurately reflects the patient's history, examination, diagnosis, tests, and treatment rendered.
- G. On or about February 19, 1990 ,and April 27, 1990 , Respondent undertook the care and treatment of Patient G at his Third Avenue Office.
1. Respondent failed to:
 - a. Obtain and note an adequate history.
 - b. Perform and note an adequate physical examination.
 2. Respondent inappropriately prescribed on February 19,1990:
 - a. Proventil Inhaler
 - b. Pepcid
 - c. Maalox
 - d. Naprosyn
 - e. Ceclor
 3. Respondent failed to follow - up on an elevated blood pressure.
 4. Respondent inappropriately ordered and/or performed the following tests: audiogram, routine chemistries and electrophoreses, isoenzymes and serologies.

5. Respondent failed to maintain a record for Patient G which accurately reflects the patient's history, examination, diagnosis, tests, and treatment rendered.
- H. On or about March 12, 1990, Respondent undertook the care and treatment of Patient H at his Third Avenue office.
1. On each visit by Patient H, Respondent failed to:
 - a. Obtain and note an adequate history.
 - b. Perform and note an adequate physical examination.
 2. Respondent inappropriately prescribed:
 - a. Pepcid
 - b. Ceclor
 - c. Naprosyn
 - d. Ventolin Inhaler
 - e. Lotrisone Cream
 3. Respondent inappropriately ordered and/or performed the following tests: audiogram, serology and electrophoresis battery in addition to routine chemistries and a CBC.
 4. Respondent failed to maintain a record for Patient H which accurately reflects the patient's history, examination, diagnosis, tests, and treatment rendered.

- I. Respondent employed a Physician's Assistant, TIMOTHY HAMILTON, who rendered care and treatment to Patients A through G. Respondent failed to exercise appropriate supervision over TIMOTHY HAMILTON'S care and treatment of Patients A through G, as set forth in paragraphs A through G and each subparagraph thereof.

SPECIFICATION OF CHARGES

FIRST SPECIFICATION

NEGLIGENCE ON MORE THAN ONE OCCASION

Respondent is charged with committing professional misconduct within the meaning of N.Y. Educ. Law Section 6530(3) (McKinney Supp. 1995) by practicing the profession with negligence on more than one occasion in that Petitioner charges two or more of the following:

1. The facts in paragraphs A and all the subparagraphs thereunder, B and all the subparagraphs thereunder, C and all the subparagraphs thereunder, D and all the subparagraphs thereunder, E and all the subparagraphs thereunder, F and all the subparagraphs thereunder, G and all the subparagraphs thereunder, H and all the subparagraphs thereunder, and all the subparagraphs thereunder, and/ or I.

SECOND SPECIFICATION

INCOMPETENCE ONE MORE THAN ONE OCCASION

Respondent is charged with committing professional misconduct within the meaning of N.Y. Educ. Law Section 6503(5)(McKinney Supp. 1995) by practicing the profession with negligence on more than one occasion in that Petitioner charges two or more of the following:

2. The facts in paragraphs A and all the subparagraphs thereunder, B and all the subparagraphs thereunder, C and all the subparagraphs thereunder, D and all the subparagraphs thereunder, E and all the subparagraphs thereunder, F and all the subparagraphs thereunder, G and all the subparagraphs thereunder, H and all the subparagraphs thereunder, and all the subparagraphs thereunder, and/ or I.

THIRD THROUGH TENTH SPECIFICATIONS

UNNECESSARY TESTS AND/OR TREATMENT

Respondent is charged with committing professional misconduct within the meaning of N.Y. Educ. Law Section 6530(35) (McKinney Supp. 1995) by ordering excessive tests and/or treatments not warranted by the condition of the patient, in that Petitioner charges:

3. The facts in paragraphs A(2) and A(2)(a)

through A(2)(i), A(3) and A(5).

4. The facts in paragraphs B(2) and B(2)(a) through B(2)(d), and B(4).
5. The facts in paragraphs C(2) and C(2)(a) through C(2)(d), and C(3).
6. The facts in paragraphs D(2) and D(2)(a) through D(2)(d), and D(3).
7. The facts in paragraphs E(2) and E(2)(a) through E(2)(d), and E(4).
8. The facts in paragraphs F(2) and F(2)(a) through F(2)(e), and F(2).
9. The facts in paragraphs G(2) and G(2)(a) through G(2)(e), G (4).
10. The facts in paragraphs H(2) and H(2)(a) through H(2)(e), and H(3).

ELEVENTH SPECIFICATION

FAILURE TO SUPERVISE

The Respondent is charged with committing professional misconduct within the

meaning of N.Y. Educ. Law Section 6530(33) (McKinney Supp. 1995) by failing to exercise appropriate supervision over a person or persons who were authorized to practice only under the supervision of the Respondent, in that, Petitioner charges:

11. The facts in paragraph I.

TWELFTH THROUGH NINETEENTH SPECIFICATIONS

FAILURE TO MAINTAIN RECORDS

The Respondent is charged with committing professional misconduct within the meaning of N.Y. Educ. Law Section 6530(32) (McKinney Supp. 1995) by failing to maintain a record for each patient which accurately reflects the evaluation and treatment of the patient, in that Petitioner charges:

12. The facts in paragraphs A and A(8).
13. The facts in paragraphs B and B(5).
14. The facts in paragraphs C and C(5).
15. The facts in paragraphs D and D(5).
16. The facts in paragraphs E and E(5).
17. The facts in paragraphs F and F(3).
18. The facts in paragraphs G and G(5).

19. The facts in paragraphs H and H (5).

DATED: May , 1995
New York, New York

ROY NEMERSON
Deputy Counsel, Bureau of
Professional Medical Conduct