



New York State Board for Professional Medical Conduct

Coming 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 20, 1996

CERTIFIED MAIL-RETURN RECEIPT REQUESTED

Roberto Chabebe, M.D.
52-22 Van Loon Street
Elmhurst, New York 11373

RE: License No. 168051

Dear Dr. Chabebe:

EFFECTIVE DATE NOVEMBER 27, 1996

Enclosed please find Order #BPMC 96-278 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: Daniel Guenzburger, Esq.

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

**IN THE MATTER
OF
ROBERTO CHABEBE, M.D.**

**SURRENDER
ORDER**
BPMC #96-278

Upon the Application of ROBERTO CHABEBE, M.D. (Respondent) to Surrender his/her license as a physician in the State of New York, which application is made a part hereof, it is

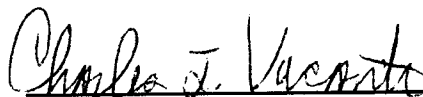
ORDERED, that the application and the provisions thereof are hereby adopted; it is further

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: 18 November 1996



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
ROBERTO CHABEBE, M.D.

APPLICATION TO
SURRENDER
LICENSE

STATE OF NEW YORK)
COUNTY OF NEW YORK) ss.:

ROBERTO CHABEBE, M.D., being duly sworn, deposes and says:

On or about August 7, 1987, I was licensed to practice medicine as a physician in the State of New York having been issued License No. 168051 by the New York State Education Department.

My current address is 52-22 Van Loon Street, Elmhurst, New York 11373, and I will advise the Director of the Office of Professional Medical Conduct of any change of my address.

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 agree not to contest the allegations in the Statement of Charges, and/or cannot successfully defend against at least one of the acts of misconduct. The surrender of my license is in full satisfaction of the Statement of Charges.

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. In consideration of the value to me of the acceptance by the Board of this Application, allowing me to resolve this matter without the various risks and burdens of a hearing on the merits, I knowingly waive any right I may have to contest the Consent Order for which I hereby apply, whether administratively or judicially, and ask that the Application be granted.



ROBERTO CHABEBE, M.D.
Respondent

Sworn to before me this

13th day of Nov., 1996

SILVIA PASTOR FINKELSTEIN
Notary Public, State of New York
No. 4791537
Qualified in Nassau County
Commission Expires December 31, 1997


NOTARY PUBLIC

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

IN THE MATTER
OF
ROBERTO CHABEBE, M.D.

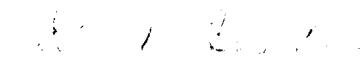
APPLICATION TO
SURRENDER
LICENSE

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

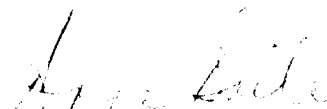
Date: 7/13, 1996


ROBERTO CHABEBE, M.D.
Respondent

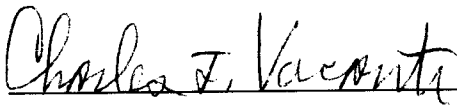
Date: _____, 1996


DANIEL GUENZBURGER
Assistant Counsel
Bureau of Professional
Medical Conduct

Date: 7/14, 1996


ANNE F. SAILE
~~Acting~~ Director
Office of Professional Medical Conduct

Date: 18 November, 1996


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

"EXHIBIT A"

**IN THE MATTER
OF
ROBERTO CHABEBE, M.D.**

**STATEMENT
OF
CHARGES**

ROBERTO CHABEBE, M.D., the Respondent, was authorized to practice medicine in New York State on or about October 8, 1986, by the issuance of license number 168051 by the New York State Education Department. On or about August 7, 1987, the Commissioner of the Department of Health summarily suspended Respondent's medical license on the ground that Respondent's continued practice represented an "imminent danger" to the public. The Department of Health simultaneously initiated a professional misconduct disciplinary proceeding, in which Respondent was charged with being dependent upon and a habitual user of narcotics, practicing the profession while being impaired by narcotics, and practicing with gross negligence. The summary suspension remained in effect until the conclusion of the professional misconduct disciplinary proceeding. On or about September 15, 1989 the Board of Regents, upon the recommendation of the Health Department Commissioner and a Committee of the State Board of Professional Conduct, sustained the professional misconduct charges and revoked Respondent's medical license. On or about April 23, 1993, the Board of Regents stayed the revocation of Respondent's medical license and placed the Respondent on two years probation.

FACTUAL ALLEGATIONS

- A. Respondent, a 47 year old psychiatrist, had been employed at the

Metropolitan Hospital Mental Health Clinic, New York, New York, until on or about August 19, 1996. He has a past history of chronic abuse of and being dependent upon the controlled substance cocaine. After a period of abstinence from the abuse of substances, in or about March 1995 Respondent suffered a relapse. Since his relapse:

1. Respondent has continued to abuse substances, including cocaine and alcohol.
2. Respondent has practiced while impaired, including but not limited to his having failed to adequately fulfill his professional responsibilities at the Metropolitan Hospital Mental Health Clinic.

SPECIFICATION OF CHARGES

FIRST SPECIFICATION

BEING A HABITUAL USER OF ALCOHOL AND NARCOTICS

Respondent is charged with committing professional misconduct as defined in N.Y. Educ. Law §6530(8)(McKinney Supp. 1996) by being a habitual user of alcohol, or being dependent on or a habitual user of narcotics, barbiturates, amphetamines, hallucinogens, or other drugs having similar effect, or having a psychiatric condition which impairs the licensee's ability to practice, as alleged in the facts of the following:

1. Paragraph A and A1.

SECOND SPECIFICATION
PRACTICING WHILE IMPAIRED

Respondent is charged with committing professional misconduct as defined in N.Y. Educ. Law §6530(7)(McKinney Supp. 1996) by practicing the profession while impaired by alcohol, drugs, physical disability, or mental disability, as alleged in the facts of the following:

2. Paragraph A, A1, and A2. .

DATED: November , 1996
New York, New York

ROY NEMERSON
Deputy Counsel
Bureau of Professional
Medical Conduct