



STATE OF NEW YORK DEPARTMENT OF HEALTH

433 River Street, Suite 303

Troy, New York 12180-2299

Barbara A. DeBuono, M.D., M.P.H.
Commissioner

Dennis P. Whalen
Executive Deputy Commissioner

March 23, 1999

PUBLIC

Mr. Robert Bentley, Director
Division of Professional Licensing Services
New York State Education Department
Cultural Education Center
Empire State Plaza
Albany, NY 12230

RE: Charles Steinke, D.O.
NYS License No. 176283

Dear Mr. Bentley:

Enclosed is a copy of a Commissioner's Order and Notice of Hearing which summarily suspends Dr. Charles Steinke's right to practice medicine in the State of New York. This Order was issued on March 17, 1999, and is in effect until further notice.

Sincerely,

Anne F. Saile
Director
Office of Professional Medical Conduct

Enclosure

cc: Daniel Kelleher

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

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IN THE MATTER : COMMISSIONER'S
OF : SUMMARY
CHARLES THOMAS STEINKE, M.D. : ORDER

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TO: CHARLES THOMAS STEINKE, M.D.
188 BEACH 123rd STREET #3
BAR HARBOR, NEW YORK 11694

234 BEACH STREET, # 148th
FAR ROCKAWAY, NEW YORK 11694

The undersigned, DENNIS P. WHALEN, Executive Deputy Commissioner of the New York State Department of Health, after an investigation, upon the recommendation of a committee on professional medical conduct of the State Board for Professional Medical Conduct, and upon the Statement of Charges attached hereto and made a part hereof, has determined that the Respondent CHARLES THOMAS STEINKE, M.D., was convicted upon his plea of guilty for committing an act constituting a felony under federal law.

It is therefore:

ORDERED, pursuant to N.Y. Pub. Health Law Section 230(12)(b), that effective immediately CHARLES THOMAS STEINKE, M.D., 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. Pub. Health Law Section 230(12).

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

State Admin. Proc. Act Sections 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 ninety days after service of this Order. The date and location of the 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 [telephone: (518) 402-0748].

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

DATED: Albany, New York
March 17 , 1999


DENNIS P. WHALEN
Executive Deputy Commissioner

Inquiries should be directed to:

Mark T. Fantauzzi
Assistant Counsel
NYS Department of Health
Division of Legal Affairs
Corning Tower Building
Room 2509
Empire State Plaza
Albany, New York 12237-0032
• (518) 473-4282

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

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IN THE MATTER : STATEMENT
OF : OF
CHARLES THOMAS STEINKE, M.D. : CHARGES

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CHARLES THOMAS STEINKE, M.D., the Respondent, was authorized to practice medicine in New York State on September 22, 1988, by the issuance of license number 176283 by the New York State Education Department.

FACTUAL ALLEGATIONS

- A. On October 23, 1997, Respondent was indicted by the Office of the United States Attorney for the Southern District of New York and was charged with, among other things, the crime of conspiring to defraud the United States of America in violation of Title 18 of the United States Code, section 1341 (Frauds and swindles) and section 1343 (Fraud by wire, radio or television).
- B. On September 18, 1998, Respondent pleaded guilty to having conspired to defraud the United States of America as set forth in the indictment mentioned in paragraph "1", above. In pleading guilty Respondent expressly admitted to having knowingly allowed his provider number to be used by his employer for the purpose of the submission of false billings

to private insurance companies. Respondent admitted further that although he knew that the funds being obtained by the use of his provider number were being obtained improperly and fraudulently, he did not report these facts to the proper authorities.

- C. On February 2, 1999, Respondent was convicted of conspiring to defraud the United States of America in violation of Title 18 of the United States Code, sections 1341 and 1343, respectively. Respondent's conviction is a felony under federal law.
- D. Respondent has failed to pay his Health Education Assistance Loan which is in an approximate amount exceeding \$250,000.00 and is in default with respect to this loan.

**FIRST SPECIFICATION
CONVICTION OF A CRIME UNDER FEDERAL LAW**

Respondent is charged with professional misconduct in violation of New York Education Law section 6530(9)(a)(ii) by reason of his having been convicted of committing an act constituting a crime under federal law, in that Petitioner charges:

1. The facts in Paragraphs A, B, C, and D.

**SECOND SPECIFICATION
FINDING OF GUILT FOR VIOLATION OF FEDERAL STATUTE**

Respondent is charged with professional misconduct in violation of New York Education Law section 6530(9)(c) by reason of his having been found guilty in an adjudicatory proceeding of violating a federal statute when the violation would constitute professional misconduct pursuant to Education Law section 6530, in that Petitioner charges:

1. The facts in Paragraphs A, B, and C.

**THIRD SPECIFICATION
FAILURE TO COMPLY WITH LAW GOVERNING THE PRACTICE
OF MEDICINE**

Respondent is charged with professional misconduct in violation of New York Education Law section 6530(16) by reason of his having wilfully or grossly negligently failed to comply with federal, state, or local laws, rules, or regulations governing the practice of medicine in that Petitioner alleges:

1. The facts in Paragraphs A, B, C, and D.

**FOURTH SPECIFICATION
FRAUDULENT PRACTICE OF MEDICINE**

Respondent is charged with professional misconduct in violation of New York Education Law section 6530(2) by reason of his having practiced the profession of medicine fraudulently, in that Petitioner charges:

1. The facts in Paragraphs A, B, and C.

**FIFTH SPECIFICATION
CONDUCT EVIDENCING MORAL UNFITNESS**

Respondent is charged with professional misconduct in violation of Education Law section 6530(20) by his having engaged in conduct evidencing moral unfitness to practice medicine in that Petitioner charges:

1. The facts in paragraphs A, B, C, and D.

**SIXTH SPECIFICATION
MAKING AND FILING A FALSE REPORT**

Respondent is charged with professional misconduct in violation of Education Law section 6530(21) by his having wilfully made or filed a false report, and/or by his having failed to file a report required by law or by the Department of Health or the Education Department, and/or by his having induced another person to make or file a false report, in that Petitioner charges:

1. The facts in paragraphs A, B, and C.

**SEVENTH SPECIFICATION
FAILURE TO PAY EDUCATIONAL LOANS**

Respondent is charged with professional misconduct in violation of New York Education Law section 6530(42) by reason of his having failed to pay his Health Education Assistance Loan, in

that Petitioner charges:

1. The facts in paragraph D.

March 17, 1999
Albany, New York



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