



New York State Board for Professional Medical Conduct

433 River Street, Suite 303 • Troy, New York 12180-2299 • (518) 402-0863

Antonia C. Novello, M.D., M.P.H., Dr. P.H.
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NYS Department of Health*

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*Executive Deputy Commissioner
NYS Department of Health*

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Office of Professional Medical Conduct

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Vice Chair

Ansel R. Marks, M.D., J.D.
Executive Secretary

October 10, 2001

CERTIFIED MAIL-RETURN RECEIPT REQUESTED

Lance W. Pope, M.D.
One Pacific Avenue
P.O. Box 285
Oak Bluffs, Mass. 02557

RE: License No. 178432

Dear Dr. Pope:

Enclosed please find Order #BPMC 01-231 of the New York State Board for Professional Medical Conduct. This Order and any penalty provided therein goes into effect October 10, 2001.

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 to Board for Professional Medical Conduct, New York State Department of Health, Hedley Park Place, Suite 303, 433 River Street, Troy, New York 12180.

Sincerely,

Ansel R. Marks, M.D., J.D.
Executive Secretary
Board for Professional Medical Conduct

Enclosure

cc: Robert Bogan, Esq.

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

IN THE MATTER
OF
LANCE W. POPE, M.D.
CO-00-09-4087-A

SURRENDER
ORDER
BPMC No. 01-231

LANCE W. POPE, M.D., says:

On or about June 20, 1989, I was licensed to practice medicine as a physician in the State of New York having been issued License No. 178432 by the New York State Education Department. I currently reside at One Pacific Avenue, P.O. Box 285, Oak Bluffs, Mass 02557.

I am currently registered with the New York State Education Department to practice as a physician in the State of New York.

I understand that the New York State Board for Professional Medical Conduct has charged me with three (3) 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, therefore, applying to the State Board for Professional Medical Conduct for an agreement to allow me to surrender my license as a physician in the State of New York and request that the Board issue this Surrender Order.

I, hereby, agree not to contest the three (3) specifications set forth in the Statement of Charges (Exhibit A).


I understand that, in the event that this proposed agreement 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 proposed agreement 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 Board grants my Application, as set forth herein, an order of the Chairperson of the Board shall be issued in accordance with same upon issuance by the Board, which may be accomplished by mailing, by first class mail, a copy of the Order to me at the address set forth above, or to my attorney, or upon transmission via facsimile to me or my attorney, whichever is first.


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

Date: 7-28, 2001

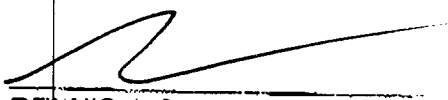

LANCE W. POPE, M.D.
Respondent

AGREED TO:

Date: 28 September, 2001


ROBERT BOGAN
Associate Counsel
Bureau of Professional Medical
Conduct

Date: 03 October, 2001


DENNIS J. GRAZIANO
Director, Office of Professional
Medical Conduct

STATE OF NEW YORK

DEPARTMENT OF HEALTH

STATE BOARD FOR PROFESSIONAL MEDICAL CONDUCT

IN THE MATTER
OF
LANCE W. POPE, M.D.
CO-00-09-4087-A

STATEMENT
OF
CHARGES

LANCE W. POPE, M.D., the Respondent, was authorized to practice medicine in New York state on June 20, 1989, by the issuance of license number 178432 by the New York State Education Department.

FACTUAL ALLEGATIONS

A. On or about April 3, 1998, in the Dukes County Jail, Massachusetts, Respondent was confined on a criminal warrant charging Breaking and Entering at Night and two counts of Larceny.

B. On or about March, 1999, Respondent prepared and submitted a registration document to The New York State Education Department, wherein he checked the "No" box to the question "Since you last filed a registration application:... Have you been convicted or charged with any crime (felony or misdemeanor) in any state or country, the disposition of which was other than acquittal or dismissal?"

C. On or about April 1, 1999, in the Trial Court of Massachusetts, District Court Department, Edgartown, Respondent was found guilty of two (2) counts Breaking and Entering with the Intent to Commit a Felony, in violation of the General Laws of Massachusetts, Chapter 266, Section 18, and one (1) count of Stealing in a building in violation of the General Laws of Massachusetts, Chapter 266, Section 20, and was sentenced to two and a half (2 ½) years confinement, eighteen (18) months committed, the balance suspended, placed on probation, and to pay \$8,175.00 restitution.

SPECIFICATIONS
FIRST SPECIFICATION

Respondent violated New York Education Law §6530(9)(iii) by having been convicted of committing an act constituting a crime under the law of another jurisdiction and which, if committed within this state would have constituted a crime under New York state Law, in that Petitioner charges:

1. The facts in paragraphs A and/or C.

SECOND SPECIFICATION

Respondent violated New York Education Law §6530(2) by practicing the profession fraudulently, in that Petitioner charges:

2. The facts in paragraphs A and/or B.

THIRD SPECIFICATION

Respondent violated New York Education Law §6530(21) by willfully making or filing a false report, or failing to file a report required by law or by the department of health or the education department, in that Petitioner charges:

3. The facts in paragraphs A and/or B.

DATED: *June 20*, 2001
Albany, New York

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

ORDER


Upon the proposed agreement of **LANCE W. POPE, M.D.**, to Surrender his license as a physician in the State of New York, which proposed agreement is made a part hereof, it is AGREED TO and

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

ORDERED, that the name of the Respondent be stricken from the roster of physicians in the State of New York; it is further

ORDERED, that this Order shall be effective upon issuance by the Board, which may be accomplished by mailing, by first class mail, a copy to Respondent at the addresses set forth in this agreement, or to Respondent's attorney, or upon transmission via facsimile to Respondent or Respondent's attorney, whichever is earliest.

DATED: 10/5/01, 2001


WILLIAM P. DILLON, M.D.
Chair
State Board for Professional
Medical Conduct