

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

IN THE MATTER
OF
OTIS ALEXANDER WILLIAMS, JR.

COMMISSIONER'S
ORDER AND
NOTICE OF
HEARING

TO: OTIS ALEXANDER WILLIAMS, JR.
293 Classon Avenue., Apt. 2R
Brooklyn, NY 11205-4348

2266 Fifth Avenue - Apt. 773
New York, NY 10037

The undersigned, Barbara A. DeBuono, M.D., M.P.H., Commissioner of Health of the State of New York, 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 continued practice of medicine in the State of New York by OTIS ALEXANDER WILLIAMS, JR., the Respondent, constitutes an imminent danger to the health of the people of this state.

It is therefore:

ORDERED, pursuant to N.Y. Pub. Health Law §230(12) (McKinney Supp. 1998), that effective immediately OTIS ALEXANDER WILLIAMS, JR., 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 §230(12) (McKinney Supp. 1998).

PLEASE TAKE NOTICE that a hearing will be held pursuant to the provisions of N.Y. Pub. Health Law §230 (McKinney 1990 and Supp. 1998), and N.Y. State Admin. Proc. Act §§301-307 and 401 (McKinney 1984 and Supp. 1998). The hearing will be conducted before a committee on professional conduct of the State Board for Professional Medical Conduct on July ____, 1998, at 10:00 a.m., at the offices of the New York State Health Department, 5 Penn Plaza, Sixth Floor, New

York, NY 10001, and at such other adjourned dates, times and places as the committee may direct. The Respondent may file an answer to the Statement of Charges with the below-named attorney for the Department of Health.

At the hearing, evidence will be received concerning the allegations set forth in the Statement of Charges, which is attached. A stenographic record of the hearing will be made and the witnesses at the hearing will be sworn and examined. The Respondent shall appear in person at the hearing and may be represented by counsel. The Respondent has the right to produce witnesses and evidence on his behalf, to issue or have subpoenas issued on his behalf for the production of witnesses and documents and to cross-examine witnesses and examine evidence produced against him. A summary of the Department of Health Hearing Rules is enclosed. Pursuant to §301(5) of the State Administrative Procedure Act, the Department, upon reasonable notice, will provide at no charge a qualified interpreter of the deaf to interpret the proceedings to, and the testimony of, any deaf person.

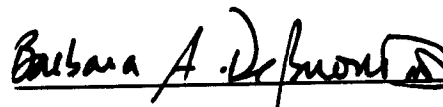
The hearing will proceed whether or not the Respondent appears at the hearing. Scheduled hearing dates are considered dates certain and, therefore, adjournment requests are not routinely granted. Requests for adjournments must be made in writing to the New York State Department of Health, Division of Legal Affairs, Bureau of Adjudication, Hedley Park Place, 433 River Street, Fifth Floor South, Troy, NY 12180, ATTENTION: HON. TYRONE BUTLER, DIRECTOR, BUREAU OF ADJUDICATION, and by telephone (518-402-0748), upon notice to the attorney for the Department of Health whose name appears below, and at least five days prior to the scheduled hearing date. Claims of court engagement will require detailed affidavits of actual engagement. Claims of illness will require medical documentation.

At the conclusion of the hearing, the committee shall make findings of fact, conclusions concerning the charges sustained or dismissed, and, in the event any of the charges are sustained, a determination of the penalty or sanction to be imposed

or appropriate action to be taken. Such determination may be reviewed by the administrative review board for professional medical conduct.

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 §230-a (McKinney Supp. 1998). YOU ARE URGED TO OBTAIN AN ATTORNEY TO REPRESENT YOU IN THIS MATTER.

DATED: Albany, New York
June 25, 1998



BARBARA A. DeBUONO, M.D., M.P.H.
Commissioner of Health

Inquiries should be directed to:

Roy Nemerson
Deputy Counsel
N.Y.S. Department of Health
Division of Legal Affairs
5 Penn Plaza
Suite 601
New York, New York 10001
(212) - 613-2615

IN THE MATTER
OF
OTIS ALEXANDER WILLIAMS, JR., M.D.

STATEMENT
OF
CHARGES

OTIS ALEXANDER WILLIAMS, JR., M.D., the Respondent, was authorized to practice medicine in New York State on or about February 26, 1990 by the issuance of license number 181582 by the New York State Education Department.

FACTUAL ALLEGATIONS

- A. By a Provisional Order of Discipline filed on or about March 4, 1998, the New Jersey State Board of Medical Examiners Ordered Respondent's License to Practice Medicine in the State of New Jersey suspended, on the cited authority of N.J.S.A. 45:1-21(i) which permits such action by the New Jersey Board when a licensee is "incapable, for medical or other good cause, of discharging the functions of a licensee in a manner consistent with the public's health, safety or welfare." Findings of Fact underlying such action described, *inter alia*:
1. That the Board had pursued an investigation into Respondent's fitness to practice medicine; and
 2. That Respondent had entered into and subsequently violated an agreement to comply with continuing treatment with progress reports to the New Jersey Board; and
 3. That in the absence of regular progress reports attesting to Respondent's fitness to practice medicine, his continued practice of medicine represents a potential danger to his patients.

B. By a Final Order filed on or about June 1, 1998, the New Jersey State Board of Medical Examiners Ordered Respondent's License to Practice Medicine in the State of New Jersey suspended, on the cited authority of N.J.S.A. 45:1-21(i) which permits such action by the New Jersey Board when a licensee is "incapable, for medical or other good cause, of discharging the functions of a licensee in a manner consistent with the public's health, safety or welfare."

1. Findings of Fact underlying such action described, *inter alia*:

- a. That the Board had pursued an investigation into Respondent's fitness to practice medicine; and
- b. That Respondent had entered into and subsequently violated an agreement to comply with continuing treatment with progress reports to the New Jersey Board; and
- c. That in the absence of regular progress reports attesting to Respondent's fitness to practice medicine, his continued practice of medicine represents a potential danger to his patients.

2. Conclusions of law supporting such action included, *inter alia*,

- a. That Respondent was subject to discipline as a licensee incapable, for medical or other good cause, of discharging the functions of a licensee in a manner consistent with the public's health, safety or welfare; and
- b. That Respondent was subject to discipline for failure to comply with a statutory requirement [N.J.S.A. 45:1-21(h)] that patients and authorized representatives of patients be provided access to professional treatment records.

SPECIFICATION OF CHARGES
SPECIFICATION
HAVING HAD DISCIPLINARY ACTION TAKEN

Respondent is charged with committing professional misconduct as defined in N.Y. Educ. Law §6530(9)(d)(McKinney Supp. 1998) by having his or her license to practice medicine revoked, suspended or having other disciplinary action taken, or having his or her application for a license refused, revoked or suspended or having voluntarily or otherwise surrendered his or her license after a disciplinary action was instituted by a duly authorized professional disciplinary agency of another state, where the conduct resulting in the revocation, suspension or other disciplinary action involving the license or refusal, revocation or suspension of an application for a license or the surrender of the license would, if committed in New York state, constitute professional misconduct under the laws of New York state (namely N.Y. Educ. Law §6530(8) and (29)) as alleged in the facts of the following:

1. Paragraphs A and B and each subparagraph thereunder.

SECOND SPECIFICATION
HAVING BEEN FOUND GUILTY OF
PROFESSIONAL MISCONDUCT

Respondent is charged with committing professional misconduct as defined in N.Y. Educ. Law §6530(9)(b)(McKinney Supp. 1998) by having been found guilty of improper professional practice or professional misconduct by a duly authorized professional disciplinary agency of another state where the conduct upon which the finding was based would, if committed in New York state, constitute professional misconduct under the laws of New York state (namely N.Y. Educ. Law §§6530(8),(29), and (40)) as alleged in the facts of the following:

2. Paragraph B and each subparagraph thereunder.

DATED: June 26, 1998
New York, New York

Roy Nemerson by wife

ROY NEMERSON
Deputy Counsel
Bureau of Professional
Medical Conduct