



New York State Board for Professional Medical Conduct

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

Dennis P. Whalen
Executive Deputy Commissioner of Health
Anne F. Saile, Director
Office of Professional Medical Conduct
William J. Comiskey, Chief Counsel
Bureau of Professional Medical Conduct

William P. Dillon, M.D.
Chair
Denise M. Bolan, R.P.A.
Vice Chair
Ansel R. Marks, M.D., J.D.
Executive Secretary

March 30, 1999

CERTIFIED MAIL-RETURN RECEIPT REQUESTED

Santosa Ho, M.D.
1602 4th Street
Marysville, WA 98270

RE: License No. 191037

Dear Dr. Ho:

Enclosed please find Order #BPMC 99-63 of the New York State Board for Professional Medical Conduct. This Order and any penalty provided therein goes into effect **March 30, 1999**.

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: Tom Fain, Esq.
Fain, Sheldon, Anderson & VanDerhoef, PLLC
First Interstate Center
999 Third Avenue, Suite 3610
Seattle, WA 98104-4032

Leslie Eisenberg, Esq.

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

IN THE MATTER
OF
SANTOSA HO, M.D.

SURRENDER
OF
LICENSE

BPMC #99-63

STATE OF NEW YORK)

ss.:

COUNTY OF)

Santosa Ho, M.D., being duly sworn, deposes and says:

On or about January 5, 1993, I was licensed to practice medicine as a physician in the State of New York having been issued License No. 191037 by the New York State Education Department.

My current address is 1602 4th Street, Marysville, WA 98270, 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 one specification 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 do not contest the charges 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 agree that such order shall be effective upon issuance by the Board, which may be accomplished by mailing, by first class mail, a copy of the Surrender Order to me at the address set forth in this agreement, or to my attorney, or upon transmission via facsimile to me or my attorney, whichever is earliest.

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 Surrender Order for which I hereby apply, whether administratively or judicially, and ask that the Application be granted.

AFFIRMED:

DATED 2/24/99

Santosa Ho, MD

SANTOSA HO, M.D.
Respondent

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

Date: 2/3/99




TOM FARN
Attorney for Respondent

Date: 3/15/99



LESLIE EISENBERG
Assistant Counsel
Bureau of Professional
Medical Conduct

Date: 3/19/99



ANNE F. SAILE
Director
Office of Professional Medical Conduct

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

IN THE MATTER
OF
SANTOSA HO, M.D.

SURRENDER
ORDER

Upon the proposed agreement of Santosa Ho, M.D. (Respondent) 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

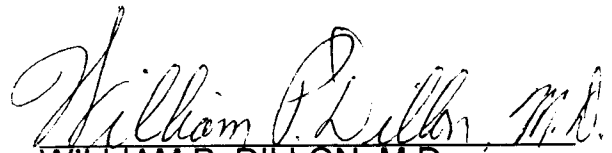
ORDERED, that the application and the provisions thereof are hereby adopted; it is further

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

SO ORDERED.

DATED: 3/26/99


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

IN THE MATTER
OF
SANTOSA HO, M.D.

STATEMENT
OF
CHARGES

Santosa Ho, M.D., the Respondent, was authorized to practice medicine in New York State on or about January 5, 1993, by the issuance of license number 191037 by the New York State Education Department.

FACTUAL ALLEGATIONS

- A. On or about September 24, 1998, in an Amended Stipulated Findings of Fact, Conclusions of Law and Agreed Order, the Washington State Medical Quality Assurance Commission restricted Respondent's license to practice medicine for a period of three years by placing limitations on Respondent's ability to prescribe controlled substances for chronic pain patients beyond a limited time and required Respondent to complete a medical education course and an externship concerning management of chronic pain, submit to periodic review by the State Medical Quality Assurance Commission and, pay a \$5,000 fine, based on stipulated facts that the State would present evidence that Respondent provided excessive prescriptions of scheduled drugs to patients without adequate treatment rationale, in violation of RCW18.130.180.

SPECIFICATION OF CHARGES

FIRST SPECIFICATION

HAVING BEEN DISCIPLINED

BY ANOTHER STATE

Respondent is charged with committing professional misconduct as defined in N.Y. Educ. Law §6530(9)(d)(McKinney Supp. 1998) by having disciplinary action taken by a duly authorized professional disciplinary agency of another state, where the conduct resulting in the disciplinary action would, if committed in New York state, constitute professional misconduct under the laws of New York state (namely N.Y. Educ. Law §6530(3), (5) and (35)) as alleged in the facts of the following:

1. Paragraph A.

DATED: March , 1999
New York, New York

ROY NEMERSON
Deputy Counsel
Bureau of Professional
Medical Conduct