



New York State Board for Professional Medical Conduct

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

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

Patrick F. Carone, M.D., M.P.H.
Chair
Ansel R. Marks, M.D., J.D.
Executive Secretary

October 7, 1997

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

Aura Knox, M.D.
209 Belmont Avenue
Jersey City, NJ 07304

RE: License No. 195162

Dear Dr. Knox:

Enclosed please find Amended Order #BPMC 97-210 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.

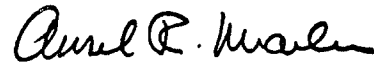
If the penalty imposed by the Order is a surrender, revocation or suspension of this license, you are required to deliver to the Board the license and registration within five (5) days of receipt of the Order.

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

If the penalty imposed by the Order is a fine, please write the check payable to the New York State Department of Health. Noting the BPMC Order number on your remittance will assist in proper crediting. Payments should be directed to the following address:

Bureau of Accounts Management
New York State Department of Health
Corning Tower, Room 1315
Empire State Plaza
Albany, New York 12237

Sincerely,

A handwritten signature in cursive script, appearing to read "Ansel R. Marks".

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

Enclosure

cc: Stanley Pressment, Esq.
425 Northern Boulevard
Great Neck, New York 11021

Kevin P. Donovan, Esq.

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

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IN THE MATTER : AMENDED CONSENT
OF : AGREEMENT
AURA KNOX, M.D. : AND ORDER
: BPMC # 97-210

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AURA KNOX, M.D., says:

On or about March 15, 1994 I was licensed to practice as a physician in the State of New York, having been issued license number 195162 by the New York State Education Department.

My current address is 209 Belmont Avenue, Jersey City, New Jersey 07304 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 eight specifications of professional misconduct as set forth in the Statement of Charges, annexed hereto, made a part hereof, and marked as Exhibit A.

I do not contest the First specification.

I hereby agree to the following penalty: A three year suspension of my license to practice medicine in New York State with 35 months of the suspension stayed following one month of actual license suspension. Furthermore, I agree to pay a \$5,000.00 fine as follows: payments of \$205.00 commencing the first day of the first month after the effective date of this Order and continuing each month thereafter for a total of 23

payments of \$205.00 each, and a final 24th payment of \$285.00. I further agree to be on probation for a period of three years and to comply with the terms of probation set forth as Attachment B.

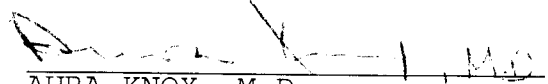
I agree that in the event that I am charged with professional misconduct in the future, this agreement and order shall be admitted into evidence in that proceeding.

I agree that, as a condition of this Order, I will maintain current registration of my license with the New York State Education Department, Division of Professional Licensing Services, and pay all registration fees. This condition will remain in effect except during periods of actual suspension, if any, imposed by this Order. This condition shall be in effect beginning thirty days after the effective date of this Order and will continue until the full term of the Order has run, and until any associated period of probation and all probation terms have been completed and satisfied. I understand that any failure by me to comply with this condition shall constitute misconduct as defined by New York State Education Law §6530(29).

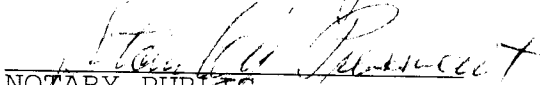
I understand that, in the event that the Board does not grant this application, nothing contained herein shall be binding upon me or construed to be an admission of any act of misconduct alleged or charged against me; such application shall not be used against me in any way and shall be kept in strict confidence during the pendency of the professional misconduct disciplinary proceeding; and such denial by the Board shall be made without prejudice to the continuance of any disciplinary proceeding and the final determination by the Board 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 of the Chairperson of the Board shall be issued in accordance with same.

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


AURA KNOX, M.D.
RESPONDENT

Subscribed before me this
27th day of September, 1997.


NOTARY PUBLIC

STANLEY PRESSMENT
Notary Public, State of New York
No. 02-PR078193
Qualified in Nassau County
Certificate Filed in Nassau County
Commission Expires June 9, 1998

AMENDED ORDER

Upon the proposed amended agreement of AURA KNOX, M.D. (Respondent) for Consent Order, which proposed amended agreement is made a part hereof, it is AGREED TO and

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

ORDERED, that this amended ORDER supersedes the previous Consent Agreement and Order dated August 28, 1997; and it is further

ORDERED, that this amended 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 by certified mail, whichever is earliest by agreement of the parties, this Order shall be effective.

DATED: 9/27/97



PATRICK F. CARONE, M.D., M.P.H.
Chair
State Board for Professional
Medical Conduct

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

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IN THE MATTER : STATEMENT
OF : OF
AURA KNOX, M.D. : CHARGES

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AURA KNOX, M.D., the Respondent, was authorized to practice medicine in New York State on March 15, 1994, by the issuance of license number 195162 by the New York State Education Department.

FACTUAL ALLEGATIONS

A. By Certificate of Incorporation of American Medical Services, P.C. (AMS) signed in or around February 1996, Respondent affirmed under penalty of perjury that she was forming AMS to engage in the practice of medicine only through individuals authorized by the laws of the State of New York to render such professional services.

B. Respondent formed AMS at the request of Steven Brigham and Elizabeth Navarra. Elizabeth Navarra was never licensed as a physician in New York State. Stephen Brigham had been licensed as a physician in New York State, but that license was summarily suspended in January 1994, and was revoked in November 1994.

C. Respondent knew that AMS had two locations from which it engaged in the practice of medicine, one with a Nanuet, New York, address, another with an Albany, New York address.

D. Respondent never intended to engage in the practice of medicine at either AMS location and never did so practice. She never visited the Albany site, and visited the Nanuet location only three times. She never performed any oversight of the physicians or technical staff at the facilities.

E. On or about March 11, 1996, Respondent executed a power of attorney by which she gave Steven Brigham authority to act in her name, place and stead in all matters pertaining to AMS.

F. Beginning in about October 1996⁵⁻²¹, Respondent permitted Steven Brigham to operate AMS. She signed a Management Service and License Agreement dated October 28, 1995, by which she authorized Westchester Medical Services, P.C., operated by Steven Brigham, to operate AMS, including hiring physician staff.

G. Beginning in about October 1996⁵⁻²¹, Respondent permitted Steven Brigham and or Elizabeth Navarra to share in fees for medical services provided by AMS doing business as "American Women's Services." The fees for Respondent's non-Medicaid payments were paid to an entity known as "American Medical Services, P.C.", which Respondent permitted to be controlled and or operated by Steven Brigham.

H. Respondent knew, or recklessly disregarded the fact that AMS would be held out as a corporation operated by a licensed physician, when she had given control of the corporation to a person not licensed in New York State.

SPECIFICATION OF CHARGES

FIRST SPECIFICATION

PRACTICING THE PROFESSION WITH NEGLIGENCE
ON MORE THAN ONE OCCASION

The Respondent is charged with practicing the profession with negligence on more than one occasion within the meaning of N.Y. Educ. Law §6530(3), in that Petitioner charges two or more of the following:

1. The facts of paragraphs A, B, C, D, E, F, G, and/or H.

SECOND SPECIFICATION

PRACTICING THE PROFESSION WITH
INCOMPETENCE ON MORE THAN ONE OCCASION

The Respondent is charged with practicing the profession with incompetence on more than one occasion within the meaning of N.Y. Educ. Law §6530 5 , in that Petitioner charges two or more of the following:

2. The facts of paragraphs A, B, C, D, E, F, G, and/or H.

THIRD SPECIFICATION

GROSS NEGLIGENCE

The Respondent is charged with practicing the profession with gross negligence within the meaning of N.Y. Educ. Law §6530(4), in that Petitioner charges:

3. The facts of paragraphs A, B, C, D, E, F, G, and/or H.

FOURTH SPECIFICATION

GROSS INCOMPETENCE

The Respondent is charged with practicing the profession with gross incompetence within the meaning of N.Y. Educ. Law §6530(6), in that Petitioner charges:

4. The facts of paragraphs A, B, C, D, E, F, G, and/or H.

FIFTH SPECIFICATION

FRAUD

The Respondent is charged with practicing the profession fraudulently within the meaning of N.Y. Educ. Law §6530 2 , in that Petitioner charges:

5. The facts of paragraphs A, B, C, D, E, F, G, and/or H.

SIXTH SPECIFICATION

PERMITTING, AIDING OR ABETTING AN UNLICENSED PERSON

The Respondent is charged with permitting, aiding or abetting an unlicensed person to perform duties requiring a license within the meaning of N.Y. Educ. Law §6530(11), in that Petitioner charges:

6. The facts of paragraphs A, B, C, D, E, F, G, and/or H.

SEVENTH SPECIFICATION

PERMITTING AN UNAUTHORIZED PERSON TO SHARE IN FEES

The Respondent is charged with permitting an unauthorized person to share in fees for professional services within the meaning of N.Y. Educ. Law §6530.19), in that Petitioner charges:

7. The facts of paragraphs A, B, C, D, E, F, G, and/or H.

EIGHTH SPECIFICATION

MORAL UNFITNESS

The Respondent is charged with conduct in the practice of medicine which evidences moral unfitness to practice medicine within the meaning of N.Y. Educ. Law §6530(20), in that Petitioner charges:

8. The facts of paragraphs A, B, C, D, E, F, G, and/or H.

DATED: *August 19*, 1997

Albany, New York

Peter D. Van Buren

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

EXHIBIT "B"

TERMS OF PROBATION

1. Respondent shall conduct herself in all ways in a manner befitting her professional status, and shall conform fully to the moral and professional standards of conduct and obligations imposed by law and by her profession;
2. Respondent shall submit written notification to the New York State Department of Health (NYSDOH), addressed to the Director, Office of Professional Medical Conduct (OPMC), New York State Department of Health, Hedley Park Place, 4th Floor, 433 River Street, Troy, New York 12180-2299; said notice is to include a full description of any employment and practice, professional and residential addresses and telephone numbers within or without New York State, and any and all investigations, charges, convictions or disciplinary actions by any local, state or federal agency, institution or facility, within thirty days of each action;
3. Respondent shall fully cooperate with and respond in a timely manner to requests from OPMC to provide written periodic verification of Respondent's compliance with the terms of this Order. Respondent shall personally meet with a person designated by the Director of OPMC as requested by the Director.
4. Any civil penalty not paid by the date prescribed herein shall be subject to all provisions of law relating to debt collection by New York State. This includes but is not limited to the imposition of interest, late payment charges and collection fees; referral to the New York State Department of Taxation and Finance for collection; and non-renewal of permits or licenses [Tax Law section 171(27); State Finance Law section 18; CPLR section 5001; Executive Law section 32].
5. The period of probation shall be tolled during periods in which Respondent is not engaged in the active practice of medicine in New York State. Respondent shall notify the Director of OPMC, in writing, if Respondent is not currently engaged in or intends to leave the active practice of medicine in New York State for a period of thirty (30) consecutive days or more. Respondent shall then notify the Director again prior to any change in that status. The period of probation shall resume and any terms of probation which were not fulfilled shall be fulfilled upon Respondent's return to practice in New York State.
6. Respondent's professional performance may be reviewed by the Director of OPMC. This review may include, but shall not be limited to, a review of office records, patient records and/or hospital charts, interviews with or periodic visits

with Respondent and her staff at practice locations or OPMC offices.

7. Respondent shall maintain legible and complete medical records which accurately reflect the evaluation and treatment of patients. The medical records shall contain all information required by State rules and regulations regarding controlled substances.
8. Respondent shall dissolve the corporation known as American Medical Services, P.C. within 120 days of the effective date of this order.
9. Fine payments must be submitted to:

Bureau of Accounts Management
New York State Department of Health
Corning Tower Building, Room 1705
Empire State Plaza
Albany, New York 12237
10. Respondent shall comply with all terms, conditions, restrictions, and penalties to which she is subject pursuant to the Order and shall assume and bear all costs related to compliance. Upon receipt of evidence of noncompliance with, or any violation of these terms, the Director of OPMC and/or the Board may initiate a violation of probation proceeding and/or any such other proceeding against Respondent as may be authorized pursuant to the law.