



***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*

Dennis P. Whalen  
*Executive Deputy Commissioner  
NYS Department of Health*

Dennis J. Graziano, Director  
*Office 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*

May 7, 2001

***CERTIFIED MAIL-RETURN RECEIPT REQUESTED***

Michael A. Hirsch, M.D.  
2308 Fortune Court  
Davis, CA 95616

RE: License No. 214106

Dear Dr. Hirsch:

Enclosed please find Order #BPMC 01-111 of the New York State Board for Professional Medical Conduct. This Order and any penalty provided therein goes into effect **May 7, 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: Rodney J. Beede, Esq.  
Beede and Beede  
103 E. Street  
Davis, CA 95616

Robert Bogan, Esq.

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

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**IN THE MATTER**

**SURRENDER**

**OF**

**ORDER**

**MICHAEL A. HIRSCH, M.D.  
CO-01-01-1538-A**

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BPMC No. 01-111

**MICHAEL A. HIRSCH, M.D.**, says:

On or about June 1, 1999, I was licensed to practice medicine as a physician in the State of New York having been issued License No. 214106 by the New York State Education Department. I currently reside at 2308 Fortuna Court, Davis, California 95616.

I am not 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 one (1) 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 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 one (1) specification 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: 4/11, 2001



MICHAEL A. HIRSCH, M.D.  
Respondent

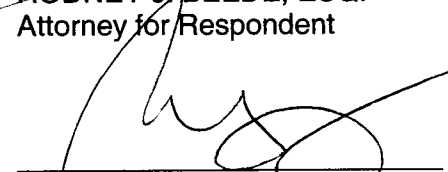
AGREED TO:

Date: 4/11, 2001



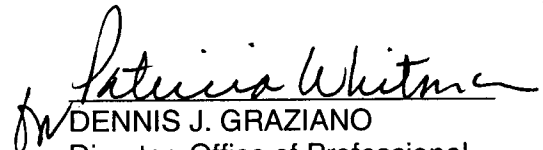
RODNEY J. BEEDE, ESQ.  
Attorney for Respondent

Date: 23 April, 2001



ROBERT BOGAN  
Associate Counsel  
Bureau of Professional Medical  
Conduct

Date: 4/25, 2001



DENNIS J. GRAZIANO  
Director, Office of Professional  
Medical Conduct

"Exhibit A"

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

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IN THE MATTER  
OF  
MICHAEL A. HIRSCH, M.D.  
CO-01-04-1538-A

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STATEMENT  
OF  
CHARGES

MICHAEL A. HIRSCH, M.D., the Respondent, was authorized to practice medicine in New York state on June 1, 1999, by the issuance of license number 214106 by the New York State Education Department.

**FACTUAL ALLEGATIONS**

A. On or about March 14, 2001, in the Superior Court of California, Yolo County, Respondent was found guilty, based on a plea of guilty, of a violation of Section 288.2 of the California Code, knowingly distributing, sending, causing to be sent, or offering to distribute harmful matter to a minor with the intent of arousing, appealing to, or satisfying the lust or passions or sexual desires of that person or of a minor, and with the intent or for the purpose of seducing a minor.

**SPECIFICATION**

Respondent violated New York Education Law §6530(9)(a)(iii) by being 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.

DATED: *April 18*, 2001  
Albany, New York

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

**ORDER**

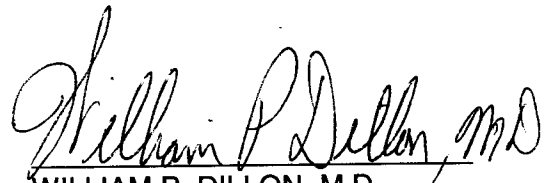
Upon the proposed agreement of **MICHAEL A. HIRSCH, M.D.**, to Surrender his license as a physician in the State of New York, which proposed agreement is made a part hereof, it is **AGREED TO** and

**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: 5/4/01, 2001

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