

**These charges are only allegations which
may be contested by the licensee in an
Administrative hearing.**

IN THE MATTER
OF
DOMINICK TRINCA, M.D.

STATEMENT
OF
CHARGES

DOMINICK TRINCA, M.D., the Respondent, was authorized to practice medicine in New York State on or about September 17, 1993 by the issuance of license number 193703 by the New York State Education Department.

FACTUAL ALLEGATIONS

A. On or about October 25, 2013 the Mississippi State Medical Board of Licensing (hereinafter "Mississippi Board") issued an Order restricting Respondent from the Practice of Medicine based on his violation of a prior agreement. By the October 25, 2013 Order, the Mississippi Board prohibited the Respondent from the practice of medicine until such time as the Mississippi Board determines that Respondent is able to safely return to the practice of medicine. On or about January 16, 2014 the Mississippi Board issued the Respondent a Suspension of Medical License Order. On or about February 24, 2014 the Mississippi Board issued an Agreed Order whereby the Respondent's medical license was suspended indefinitely. The Agreed Order was based upon a complaint alleging the Respondent (1) violated an existing Board Order, Stipulation or Agreement; (2) engaged in unprofessional conduct, which includes but is not limited to, dishonorable or unethical conduct likely to deceive, defraud or harm the public; (3) engaged in unprofessional conduct by virtue of knowingly performing any act which in any way assists an unlicensed person to practice medicine; (4) pre-signed blank prescription pads in violation of Mississippi statute; and (5) prescribed controlled

substances and other drugs having addiction-forming or addiction sustaining liability otherwise than in the course of legitimate professional practice.

B. Respondent's conduct as described above upon which the finding of unprofessional conduct in Mississippi was based would, if committed in New York State, constitute professional misconduct under the laws of the State of New York as follows:

1. New York Education Law §6530(3) (practicing the profession with negligence on more than one occasion); and/or
2. New York Education Law §6530 (11) (permitting, aiding or abetting an unlicensed person to perform activities requiring a license).

SPECIFICATION OF CHARGES

FIRST 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) 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 (3) and/or (11)) as alleged in the facts of the following:

1. The facts in Paragraph A and B.

SPECIFICATION SPECIFICATION

HAVING HAD DISCIPLINARY ACTION TAKEN

Respondent is charged with committing professional misconduct as defined in N.Y. Educ. Law § 6530(9)(d) 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 as alleged in the facts of the following:

2. The facts in Paragraph A and B.

DATE: June 29, 2016
Albany, New York



Michael A. Hiser
Deputy Counsel
Bureau of Professional Medical Conduct