



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

Board for Professional Medical Conduct

Corning Tower • Empire State Plaza • Albany, NY 12237 • (518) 474-8357

C. Maynard Guest, M.D.
Executive Secretary

July 5, 1995

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

Adrienne Dunbar, M.D.
11101 Royal Palm Boulevard
Apartment 203
Coral Springs, Florida 33065

RE: License No. 177166

Dear Dr. Dunbar:

Effective Date: 07/12/95

Enclosed please find Order #BPMC 95-139 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 of 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
Empire State Plaza
Tower Building-Room 438
Albany, New York 12237-0756

Sincerely,

C. Maynard Guest, M.D.
Executive Secretary
Board for Professional Medical Conduct

cc: Jonathan Marks, Esq.
250 Fifth Avenue
Suite 7912
New York, New York 10118

E. Marta Sachey, Esq.

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

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IN THE MATTER :
OF : ORDER
ADRIENNE DUNBAR, M.D. : BPMC #95-139

-----x

Upon the Application of ADRIENNE DUNBAR, M.D.
(Respondent) for Consent Order, which Application is made a part
hereof, it is

ORDERED, that the Application and the provisions
thereof are hereby adopted and so ORDERED, and it is further

ORDERED, that this 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.

SO ORDERED,

DATED: 28 June 1995

Charles J. Vacanti

Charles J. Vacanti, M.D.
Chairperson
State Board for Professional
Medical Conduct

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

-----X

IN THE MATTER : APPLICATION
OF : FOR
ADRIENNE DUNBAR, M.D. : CONSENT
: ORDER

-----X

STATE OF FLORIDA)
COUNTY OF BROWARD) SS.:

ADRIENNE DUNBAR, M.D., being duly sworn, deposes and says:

1. I was authorized to practice medicine in New York State on January 17, 1989 by the issuance of license number 177166 by the New York State Education Department.
2. I am not currently registered with the New York State Education Department to practice medicine in New York State.
3. I understand that the New York State Board for Professional Medical conduct [hereafter "Board"] has charged me with one specification of professional misconduct. A copy of the Statement of Charges is annexed hereto, made a part hereof, and marked as "Exhibit A."

4. I hereby admit guilt to the one specification of professional misconduct with which I am charged as set forth in the Statement of Charges.
5. I hereby agree to the following penalties:
 - (a) Suspension of my license for three years, such suspension stayed.
 - (b) A three year period of probation under the Terms of Probation set forth and attached hereto as "Exhibit B," which period shall begin on the effective date of the Order issued pursuant to this Application.
 - (c) The limitation on my license that in the event I engage in the practice of medicine in New York State within five years of the effective date of the Order issued pursuant to this Application, my practice of medicine in New York State shall be monitored for one year as set forth under the Terms of Practice Monitoring attached hereto as "Exhibit D."
6. I hereby make this Application to the Board and request that it be granted.
7. I understand that in the event this Application is not granted by the Board nothing contained herein shall be binding upon me or construed to be an admission of any act of misconduct 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.

8. 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.
9. I am making this Application of my own free will and accord and not under duress, compulsion or restraint of any kind or manner.

Adrienne Dunbar, M.D.
ADRIENNE DUNBAR, M.D.
RESPONDENT

Sworn to before me this

day of 23rd of June, 1995.

Julia M. Lambert
NOTARY PUBLIC



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

-----X
IN THE MATTER : APPLICATION
OF : FOR
ADRIENNE DUNBAR, M.D. : CONSENT
: ORDER
-----X

The undersigned agree to the attached Application of the Respondent and to the proposed penalty based on the terms and conditions thereof.

DATE: June 23, 1995

Adrienne Dunbar, M.D.
ADRIENNE DUNBAR, M.D.
Respondent

DATE: June 27, 1995

E. Marta Sachey
E. MARTA SACHEY
Associate Counsel
Bureau of Professional
Medical Conduct

DATE: Jun 27, 1995

Kathleen M. Tanner
KATHLEEN M. TANNER
DIRECTOR
Office of Professional Medical
Conduct

DATE: 28 June 1995

Charles J. Vacanti

CHARLES J. VACANTI, M.D.

CHAIRPERSON

State Board for Professional
Medical Conduct

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

-----X

IN THE MATTER : STATEMENT
OF : OF
ADRIENNE DUNBAR, M.D. : CHARGES

-----X

ADRIENNE DUNBAR, M.D., the Respondent, was authorized to practice medicine in New York State on January 17, 1989 by the issuance of license number 177166 by the New York State Education Department. Respondent is not currently registered with the New York State Education Department to practice medicine in New York State.

FACTUAL ALLEGATIONS

1. The State of Florida Board of Medicine, by Final Order dated November 2, 1994 pursuant to an amended Consent Agreement entered into with Respondent, inter alia:
 - Reprimanded Respondent.
 - Imposed a two thousand dollar administrative fine against Respondent.
 - Placed Respondent on probation for three years.
 - Required Respondent to practice only under the indirect supervision of a monitor during the probation period.
 - Prohibited Respondent from prescribing Schedule II drugs until Respondent

EXHIBIT A

completes the course "Protecting your Medical Practice, Clinical, Legal and Ethical Issues in Prescribing Abusable Drugs."

- Imposed restrictions, during the probation period, on Respondent's prescribing of Schedule II-V controlled substances, including that Respondent provide copies of such prescriptions to the monitor, that Respondent keep available copies of such prescriptions for inspection on a random and unannounced basis by a Department investigator and that Respondent submit to the Board written summarized lists of all triplicate prescriptions issued by her including, inter alia, the name of the patient, the reason for the prescription, and the quantity and strength prescribed.
- Required Respondent to undertake educational courses, including twenty hours of category I Continuing Medical Education in pain management and/or risk management and the course "Quality Medical Record Keeping for the Health Care Professional."

2. The conduct underlying the Florida Board's imposition of disciplinary action upon Respondent, as set forth in the Administrative Complaint, consisted of, inter alia, with regard to five patients, the prescribing of excessive quantities of Percocet, the failure to make proper referrals or consultations, including referrals to a pain management clinic, and the failure to document in the patients' records a consultation regarding the dependency and abuse potential for the controlled substances prescribed. Such conduct constitutes, inter alia, gross or repeated malpractice or the failure to practice medicine with that level of care, skill, and treatment which is recognized by a reasonably prudent similar physician as being acceptable under similar conditions and circumstances in violation of Florida

Statutes §458.331(1)(t) and the failure to keep written medical records justifying the course of treatment of the patient in violation of Florida Statutes §458.331(1)(m).

3. The Conduct underlying the Florida Board's imposition of disciplinary action upon Respondent would, if committed in New York State, constitute professional misconduct under N.Y. Educ. Law §6530(4) [practicing with gross negligence] and/or N.Y. Educ. Law §6530(3) [practicing with negligence on more than one occasion] and/or §6530(32) [failing to maintain a record for each patient which accurately reflects the evaluation and treatment of the patient] (McKinney Supp. 1995).

SPECIFICATION

Respondent is charged with professional misconduct under N.Y. Educ. Law §6530(9)(d) (McKinney Supp. 1995) by reason of having her license to practice medicine revoked, suspended or having other disciplinary action taken, or having her application for a license refused, revoked or suspended or having voluntarily or otherwise surrendered 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 the surrender of the license would, if committed in New York State, in that Petitioner charges the facts

in Paragraphs 1 through 3.

DATED: *March 30*, 1995
Albany, New York



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

EXHIBIT B

TERMS OF PROBATION

ADRIENNE DUNBAR, M.D.

1. Respondent during the period of probation 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 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, New York State Department of Health, Corning Tower Building, 4th Floor, Empire State Plaza, Albany, New York 12237 [hereafter "OPMC"] of any employment and practice, of Respondent's residence and telephone number, of any change in Respondent's employment, practice, residence or telephone number within or without New York State;
3. Respondent shall submit to OPMC, no later than the first three months of probation, written proof from the Division of Professional Licensing Services (DPLS), New York State Education Department (NYSED), that Respondent has paid all registration fees due and owing to the NYSED and Respondent shall cooperate with and submit whatever papers are requested by DPLS in regard to said registration fees.
4. Respondent shall submit to OPMC, no later than the first two months of probation, written proof that (a) Respondent is currently registered with the NYSED, unless Respondent submits written proof that Respondent has advised DPLS, NYSED, that Respondent is not engaging in the practice of medicine in New York State and does not desire to register, and that (b) Respondent has paid any fines which may have previously been imposed upon Respondent by the Board or by the Board of Regents.
5. Respondent shall comply with the terms and conditions of probation imposed upon her by the State of Florida Board of Medicine in its Order dated November 2, 1994, a copy of which is annexed hereto, made a part hereof, and marked as "Exhibit C."
6. Respondent shall assume and bear all costs related to compliance with the Terms of Probation.
7. Respondent, so long as there is full compliance with every terms herein, may practice her profession in accordance with the Terms of Probation; provided, however, that upon receipt

of evidence of noncompliance with or any violation of these terms, the Director of the Office of Professional Medical Conduct and/or the Board may initiate a violation of probation proceeding and/or such other proceeding against Respondent as may be authorized by the Public Health Law.