



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

August 14, 1998

CERTIFIED MAIL-RETURN RECEIPT REQUESTED

Joseph Ezra, M.D.
19379 Lemmer Drive
Tarzania, California 91356

RE: License No. 132934

Dear Dr. Ezra:

Enclosed please find Order #BPMC 98-178 of the New York State Board for Professional Medical Conduct. This Order and any penalty provided therein goes into effect **August 14, 1998.**

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

Sincerely,

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

Enclosure

cc: Mark A. Levin, Esq.
Lewin & Levin
1925 Century Park East
Suite 850
Los Angeles, California 90067-2709

Barry Kaufman, Esq.

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

**IN THE MATTER
OF
JOSEPH EZRA, M.D.**

**SURRENDER
OF
LICENSE**

BPMC #98-178

STATE OF CALIFORNIA)

COUNTY OF LOS ANGELES) **ss.:**

JOSEPH EZRA, M.D., being duly sworn, deposes and says:

On or about October 28, 1977, I was licensed to practice medicine as a physician in the State of New York having been issued License No. 132934 by the New York State Education Department.

My current address is 19379 Lemmer Drive, Tarzana, California 91356, 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 two (2) specifications 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 agree not to contest the allegations contained in the Statement of 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 7/24/98



JOSEPH EZRA, M.D.
RESPONDENT

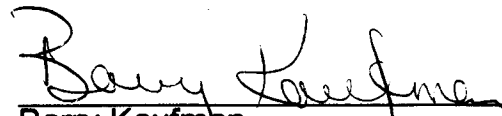
The undersigned agree to the attached application of the Respondent to surrender his license.

Date: July 28, 1998



Mark A. Levin, Esq.
Attorney for Respondent

Date: July 30, 1998



Barry Kaufman
Associate Counsel
Bureau of Professional
Medical Conduct

Date: August 4, 1998



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
JOSEPH EZRA, M.D.

SURRENDER
ORDER

Upon the proposed agreement of JOSEPH EZRA, 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

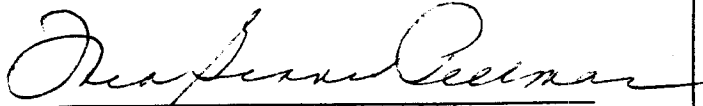
ORDERED, that the name of Respondent be stricken from the roster of physicians in the State of New York; it is further

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

August 7, 1998


THEA GRAVES PELLMAN,
Vice-Chairperson
State Board for Professional
Medical Conduct

**IN THE MATTER
OF
JOSEPH EZRA, M.D.**

**STATEMENT
OF
CHARGES**

JOSEPH EZRA, M.D., the Respondent, was authorized to practice medicine in New York State on or about October 28, 1977, by the issuance of license number 132934 by the New York State Education Department.

FACTUAL ALLEGATIONS

- A. On or about January 8, 1996, Respondent was convicted in the United States District Court, Central District of California, of one (1) count of conspiracy to commit mail fraud and ten (10) counts of mail fraud in violation of 18 U.S.C. Sections 371 and 1341, respectively. Respondent was found guilty of conspiring to and devising and executing a fraudulent scheme to defraud the United States, in particular, Health and Human Services, regarding requests for and receipt of money from Medicare by means of false and fraudulent pretenses, representations and promises. On or about October 7, 1996, Respondent was sentenced to fifteen (15) months of imprisonment, three (3) years of supervision upon release, he was ordered to make restitution in the sum of \$85,933 to Medicare and fined a special assessment of \$550.
- B. On or about August 8, 1996, the Medical Board of California (hereinafter referred to as "Board") brought charges against the Respondent on the

grounds that Respondent, inter alia, (1) was convicted on or about January 8, 1996 of ten (10) counts of mail fraud and one (1) count of conspiracy to commit mail fraud in the United States District Court, Central District of California, (2) from approximately March 1989 through December 1992, presented false and fraudulent claims for payment under an insurance contract, (3) from approximately March 1989 through December 1992, knowingly made false statements in documents related to the practice of medicine and created false medical records with fraudulent intent, all in violation of California Business and Professions Code sections 2234 (a) and (e), 810 (a), 2261 and 2262.

On or about May 30, 1997, in a Stipulated Settlement and Disciplinary Order, Respondent admitted the truth of the allegations against him, and on or about October 9, 1997, the Board, in said stipulation and order, inter alia, revoked Respondent's Physician's and Surgeon's Certificate, stayed said revocation, placed Respondent on probation for four years on terms requiring an ethics course, a physician monitor to supervise billing practices, a penalty and costs.

SPECIFICATION OF CHARGES

FIRST SPECIFICATION

CRIMINAL CONVICTION (Federal)

Respondent is charged with committing professional misconduct as defined in N.Y. Educ. Law §6530(9)(a)(ii)(McKinney Supp. 1998) by having been convicted of committing an act constituting a crime under federal law as alleged in the facts of the

following:

1. The facts in paragraph A.

SECOND SPECIFICATION
HAVING HAD DISCIPLINARY ACTION TAKEN

Respondent is charged with committing professional misconduct as defined in N.Y. Educ. Law §6530(9)(d)(McKinney Supp. 1998) 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 (namely N.Y. Educ. Law §§ 6530(2), 6530(9)(a) and 6530(32) as alleged in the facts of the following:

2. The facts alleged in paragraph B.

DATED: July , 1998
New York, New York

ROY NEMERSON
Deputy Counsel
Bureau of Professional
Medical Conduct