

THE STATE EDUCATION DEPARTMENT (THE UNIVERSITY OF THE STATE OF NEW YORK) ALBANY, NEW YORK

ASSISTANT COMMISSIONER, OFFICE OF THE PROFESSIONS  
OFFICE OF PROFESSIONAL DISCIPLINE, 622 THIRD AVENUE, NEW YORK, NEW YORK 10017

January 16, 1987

Hervel Faulknor, R.P.A.  
852 East 216th Street  
Bronx, NY 10467

Re: License No. 000361

Dear Dr. Faulknor:

Enclosed please find Commissioner's Order No. 5845. This Order and any penalty contained therein goes into effect five (5) days after the date of this letter.

If the penalty imposed by the Order is a surrender, revocation or suspension of your license, you must deliver your license and registration to this Department within ten (10) days after the date of this letter. In such a case your penalty goes into effect five (5) days after the date of this letter even if you fail to meet the time requirement of delivering your license and registration to this Department.

Very truly yours,

DANIEL J. KELLEHER  
Director of Investigations  
By:

GUSTAVE MARTINE  
Supervisor

DJK/GM/mc  
Enclosures

CERTIFIED MAIL - RRR

cc: Harvey Strelzin, Esq.  
299 Broadway  
New York, NY 10007



# The University of the State of New York

IN THE MATTER  
of the  
Disciplinary Proceeding  
against

**HERVEL FAULKNOR**

**No. 5845**

who is currently registered as a  
physician's assistant in the State  
of New York.

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## Report of the Regents Review Committee

HERVEL FAULKNOR, hereinafter referred to as respondent, was noticed to appear in this proceeding at which he could be represented by an attorney.

On July 3, 1986 respondent did appear and was represented by an attorney, Harvey Strelzin, Esq. Sylvia Finkelstein, Esq., represented the Office of Professional Medical Conduct of the New York State Department of Health.

We have carefully reviewed and considered the entire record in this matter.

We render the following findings of fact, determination

**HERVEL FAULKNER (5845)**

as to guilt, and recommendation as to the penalty to be imposed.

**FINDINGS OF FACT**

1. We find that respondent was registered to practice as a physician's assistant in the State of New York by the New York State Education Department.
2. We find that the instant disciplinary proceeding was commenced by service of the notice of hearing and statement of charges upon respondent.
3. We find that respondent was convicted of committing acts constituting a crime, as set forth in the statement of charges annexed hereto, made a part hereof, and marked as Exhibit "A".

**DETERMINATION AS TO GUILT**

We unanimously determine that the charge has been proven by a preponderance of the evidence and that respondent is guilty of the same.

**RECOMMENDATION AS TO THE  
PENALTY TO BE IMPOSED**

We unanimously recommend to the Board of Regents that, under all of the circumstances herein, respondent's registration to practice as a physician's assistant in the State of New York be revoked upon the charge of which respondent has been found guilty.


HERVEL FAULKNER (5845)

Respectfully submitted,

SALVATORE J. SCLAFANI

JANE M. BOLIN

PATRICK J. PICARIELLO

  
\_\_\_\_\_  
Chairperson

Dated: 9/21/86

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

-----X  
IN THE MATTER

OF

HERVEL FAULKNOR

: STATEMENT  
: OF  
: CHARGES  
: X

-----X  
The State Board of Professional Medical Conduct, alleges as follows:

1. HERVEL FAULKNOR, hereinafter referred to as the Respondent, was authorized to practice medicine as a Physician's Assistant in the State of New York on September 28, 1975, by the issuance of license number PA 000361-1 by the State Education Department.
2. The Respondent is currently registered with the New York State Education Department to practice medicine as a Physician's Assistant for the period January 1, 1984 to December 31, 1986 from 852 East 216th Street, Bronx, New York 10467.
3. Respondent is charged with professional misconduct within the meaning of N.Y. Educ. Law §6509 (McKinney Supp. 1985) as set forth in the specification.

SPECIFICATION

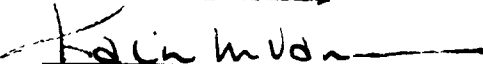
4. Respondent is charged with professional misconduct within the Meaning of New York Education Law §6509 (5)(a)(i) (McKinney 1985) in that he has been convicted of committing acts constituting a crime under New York State Law, specifically:

- 1) On or about February 5, 1985, the Respondent was convicted, after a pleas of guilty, in the Supreme Court of the State of New York, County of New York, of violating Title 8, Article 4, §6512(1) of the Education Law, a class E felony in that on or about and between May 1982 and January 31, 1983, acting in concert with others, the Respondent, being a person not authorized to practice Medicine, did file, furnish, obtain and attempt to file, furnish and obtain by fraudulent means a diploma purporting to authorize the practice of a profession, to wit, a diploma from CETEC University awarding the degree of Doctor of Medicine.

On or about March 22, 1985, the Respondent was sentenced to a three year period of conditional discharge.

Dated: Albany, New York

April 24, 1986

  
KATHLEEN M. TANNER  
Director  
Office of Professional  
Medical Conduct

**REPORT OF THE  
REGENTS REVIEW COMMITTEE**

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**HERVEL FAULKNER**

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**CALENDAR NO. 5845**

Approved October 24, 1986

No. 5845

Upon the report of the Regents Review Committee, the record herein, under Calendar No. 5845, and in accordance with the provisions of Title VIII of the Education Law, it was

Voted: That the record herein be accepted; that the findings of fact, determination as to guilt, and recommendation as to the penalty to be imposed rendered by the Regents Review Committee in the matter of HERVEL FAULKNER, respondent, be accepted; that respondent is guilty of the charge by a preponderance of the evidence; that respondent's registration to practice as a physician's assistant in the State of New York be revoked; and that the Commissioner of Education be empowered to execute, for and on behalf of the Board of Regents, all orders necessary to carry out the terms of this vote.





# The University of the State of New York

IN THE MATTER

OF

HERVEL FAULKNOR  
(Physician's Assistant)

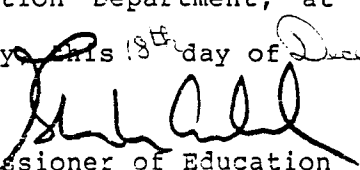
DUPLICATE  
ORIGINAL ORDER  
NO. 5845

Upon the report of the Regents Review Committee, the record herein, under Calendar No. 5845, and the vote of the Board of Regents on October 24, 1986, which report and vote are incorporated herein and made a part hereof, it is

ORDERED that the record herein be accepted; that the findings of fact, determination as to guilt, and recommendation as to the penalty to be imposed rendered by the Regents Review Committee in the matter of HERVEL FAULKNOR, respondent, be accepted; that respondent is guilty of the charge by a preponderance of the evidence; and that respondent's registration to practice as a physician's assistant in the State of New York be revoked.

IN WITNESS WHEREOF, I, Gordon M. Ambach,  
Commissioner of Education of the State  
of New York, for and on behalf of the  
State Education Department and the  
Board of Regents, do hereunto set my  
hand and affix the seal of the State  
Education Department, at the City of  
Albany, this 18<sup>th</sup> day of December, 1986.



  
Commissioner of Education