



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

Charles J. Vacanti, M.D.
Chair

December 11, 1995

CERTIFIED MAIL-RETURN RECEIPT REQUESTED

Mark Samuel Feldman, M.D.
7800 W. Oakland Park Boulevard
Ft. Lauderdale, Florida 33351

RE: License No. 88183

Dear Dr. Feldman:

Effective Date: 12/18/95

Enclosed please find Order #BPMC 95-299 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 or seven (7) days after the date of this letter, whichever is earlier.

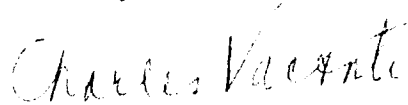
If the penalty imposed by the Order is a surrender, revocation or suspension of this license, you are required to deliver to the Board the license and registration within five (5) days of receipt of the Order.

Board for Professional Medical Conduct
New York State Department of Health
Empire State Plaza
Tower Building-Room 438
Albany, New York 12237-0756

If the penalty imposed by the Order is a fine, please write the check payable to the New York State Department of Health. Noting the BPMC Order number of your remittance will assist in proper crediting. Payments should be directed to the following address:

Bureau of Accounts Management
New York State Department of Health
Empire State Plaza
Tower Building-Room 1245
Albany, New York 12237

Sincerely,

A handwritten signature in black ink that reads "Charles Vacanti". The signature is written in a cursive, slightly slanted style.

Charles Vacanti, M.D.
Chair
Board for Professional Medical Conduct

Enclosure

cc: Mark A. Dresnick, Esq.
Grand Bay Plaza, Suite 201
2665 South Bayshore Drive
Miami, Florida 33133-5402

Irene M. Koch, Esq.

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

IN THE MATTER
OF
MARK SAMUEL FELDMAN, M.D.

CONSENT
ORDER

BPMC #95-299

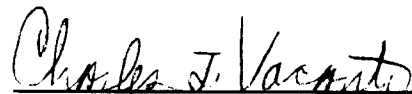
Upon the application of MARK SAMUEL FELDMAN, M.D. (Respondent) for Consent Order, which application is made a part hereof, it is

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: 7 December 1995



CHARLES J. VACANTI, M.D.
Chairperson
State Board for Professional
Medical Conduct

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

IN THE MATTER
OF
MARK SAMUEL FELDMAN, M.D.

APPLICATION
FOR
CONSENT ORDER

STATE OF FLORIDA)
COUNTY OF BROWARD) ss.:

MARK SAMUEL FELDMAN, M.D., being duly sworn, deposes and says:

That on or about November 14, 1962, I was licensed to practice as a physician in the State of New York, having been issued License No. 88183 by the New York State Education Department.

My current address is 7800 West Oakland Park Boulevard, Ft. Lauderdale, Florida 33351, and I will advise the Director of the Office of Professional Medical Conduct of any change of my address.

I understand that the New York State Board for Professional Medical Conduct 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".

I admit guilt to the specification in full satisfaction of the charges against me. I hereby agree to the penalty that my license be subject to a Censure and Reprimand and that I pay a fine in the amount of two thousand dollars (\$2000), payable to the New York State Department of Health, within 30 days of the effective date of the Consent Order.


I hereby make this Application to the State Board for Professional Medical Conduct (the Board) and request that it be granted.

I understand that, in the event that 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 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 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.

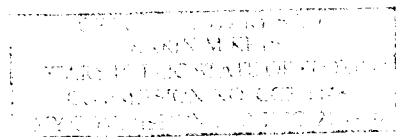
I agree that, in the event the Board grants my Application, as set forth herein, an order of the Chairperson of the Board shall be issued in accordance with same.

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


MARK SAMUEL FELDMAN, M.D.
RESPONDENT

Sworn to before me this
day of 1-21, 19 01.

John M. King
NOTARY PUBLIC



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

IN THE MATTER
OF
MARK SAMUEL FELDMAN, M.D.

APPLICATION
FOR
CONSENT ORDER

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

DATE:

11/24/95



MARK SAMUEL FELDMAN, M.D.
Respondent

DATE:

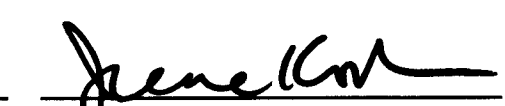
11/22/95



MARK A. DRESNICK, ESQ.
Attorney for Respondent

DATE:

12/1/95



IRENE M. KOCH
Assistant Counsel
Bureau of Professional
Medical Conduct

DATE: 12/5/95

Kathleen M. Tanner

Acting
KATHLEEN M. TANNER
Director
Office of Professional Medical
Conduct

DATE: 7 December 1995

Charles J. Vacanti

CHARLES J. VACANTI, M.D.
Chairperson
State Board for Professional
Medical Conduct

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

**IN THE MATTER
OF
MARK SAMUEL FELDMAN, M.D.**

**STATEMENT
OF
CHARGES**

MARK SAMUEL FELDMAN, M.D., the Respondent, was authorized to practice medicine in New York State on or about November 14, 1962, by the issuance of license number 88183 by the New York State Education Department.

FACTUAL ALLEGATIONS

- A. On or about November 1, 1993, an Administrative Complaint was filed against Respondent by the State of Florida, Department of Business and Professional Regulation, Board of Medicine (the Florida Board), charging Respondent with one count of making deceptive untrue or fraudulent representations in or related to the practice of medicine or employing a trick or scheme in the practice of medicine in violation of Section 458.331(1)(k) Florida Statutes, with one count of performing professional services which have not been duly authorized by the patient or client in violation of Section 458.331(1)(p) Florida Statutes, and with one count of 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 Section 458.331(1)(t) Florida Statutes. On or about March 16, 1994, Respondent entered into a Consent Agreement with the Florida Board in order to resolve by settlement the matters addressed in the Administrative Complaint. On or about June 27, 1994, the Florida Board entered a Final Order approving the

Consent Agreement, which Final Order imposed a reprimand and a \$2000.00 fine on Respondent, and requires an independent certified risk manager to review all procedures performed by Respondent in his practice within six months of the filing of the Final Order and to prepare a report of such review.

SPECIFICATION OF CHARGES
HAVING HAD DISCIPLINARY ACTION TAKEN

Respondent is charged with committing professional misconduct as defined in N.Y. Educ. Law §6530(9)(d)(McKinney Supp. 1995) 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) (fraud); and/or §6530(4) (gross negligence); and/or §6530(26) (performing professional services not duly authorized), as alleged in the facts of the following:

1. Paragraph A.

DATED: October , 1995
New York, New York

ROY NEMERSON
Deputy Counsel
Bureau of Professional
Medical Conduct