



New York State Board for Professional Medical Conduct

433 River Street, Suite 303 Troy, New York 12180-2299 • (518) 474-8357

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

Charles J. Vacanti, M.D.
Chair

December 20, 1996

CERTIFIED MAIL-RETURN RECEIPT REQUESTED

Neil J. Farkas, D.O.



RE: License No. 158007

Dear Dr. Farkas:

Enclosed please find Order #BPMC 96-290 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
Hedley Park Place, Suite 303
433 River Street
Troy, New York 12180

Sincerely,



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

Enclosure

cc: Kenneth M. Mogill, Esq.
Mogill, Posner & Cohen
Suite 1930, One Kennedy Square Building
719 Griswold
Detroit, Michigan 48226-3300

Terrence Sheehan, Esq.

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

IN THE MATTER
OF
NEIL JUAN FARKAS, D.O.

SURRENDER
ORDER
BPMC #96-290

Upon the Application of NEIL JUAN FARKAS, D.O. (Respondent) to Surrender his/her license as a physician in the State of New York, which application is made a part hereof, it is


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 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 via certified mail, whichever is earliest.

SO ORDERED.

DATED: 2 December 1996


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
NEIL JUAN FARKAS, D.O.

APPLICATION TO
SURRENDER
LICENSE

STATE OF MICHIGAN)
COUNTY OF) ss.:

NEIL JUAN FARKAS, D.O., being duly sworn, deposes and says:

On or about 4/23/84, I was licensed to practice medicine as a physician in the State of New York having been issued License No. 158007 by the New York State Education Department.

My current address is [REDACTED], 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 [REDACTED] 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 do not contest [REDACTED] 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., subject to the conditions set out in the attached November 11, 1996, letter from Kenneth M. Mogill, Esq., to Terrence Sheehan, Associate Counsel.

KMM

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 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 Consent Order for which I hereby apply, whether administratively or judicially, and ask that the Application be granted.

 X

NEIL JUAN FARKAS, D.O.
Respondent

Sworn to before me this

11th day of Nov., 1996



NOTARY PUBLIC


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

IN THE MATTER
OF
NEIL JUAN FARKAS, D.O.

APPLICATION TO
SURRENDER
LICENSE

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


Date: November 14, 1996


NEIL JUAN FARKAS, D.O.
Respondent

Date: _____, 1996

Attorney for Respondent
(if any)

Date: 11/21, 1996


Terrence Sheehan
Associate Counsel
Bureau of Professional
Medical Conduct

Date: Nov 24, 1996



ANNE F. SAILE
Director
Office of Professional Medical Conduct

Date: 2 December, 1996



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
NEIL JUAN FARKAS, D.O.

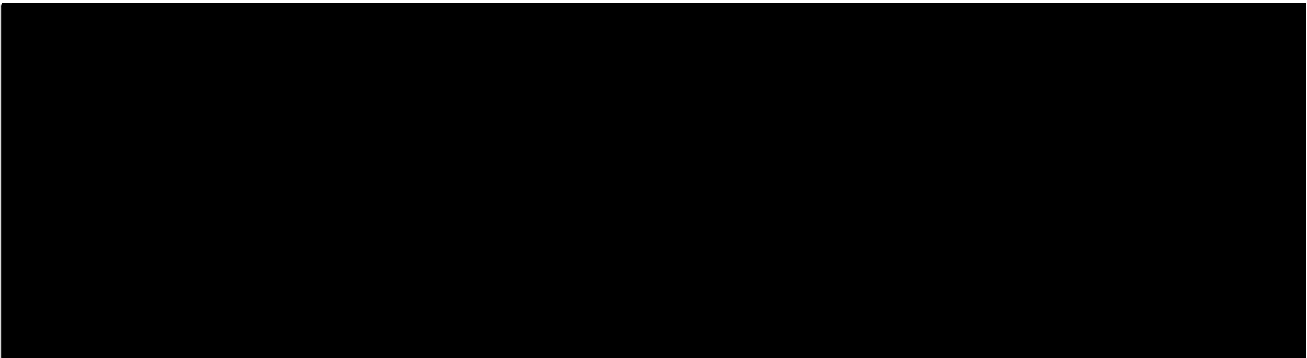
STATEMENT
OF
CHARGES

NEIL JUAN FARKAS, D.O., the Respondent, was authorized to practice medicine in New York State on or about April 23, 1984, by the issuance of license number 158007 by the New York State Education Department.

FACTUAL ALLEGATIONS

- A. In December of 1994, Respondent was subjected, pursuant to a Consent Order of the New York State Board for Professional Medical Conduct, to a two-year stayed suspension and a two-year period of probation, based upon his admission to having been disciplined by the Michigan Board, for conduct constituting the fraudulent practice of medicine. The terms of that probation required Respondent to:

Respondent during the period of probation shall conduct himself in all ways in a manner befitting his professional status, and shall conform fully to the moral and professional standards of conduct imposed by law and by his profession;



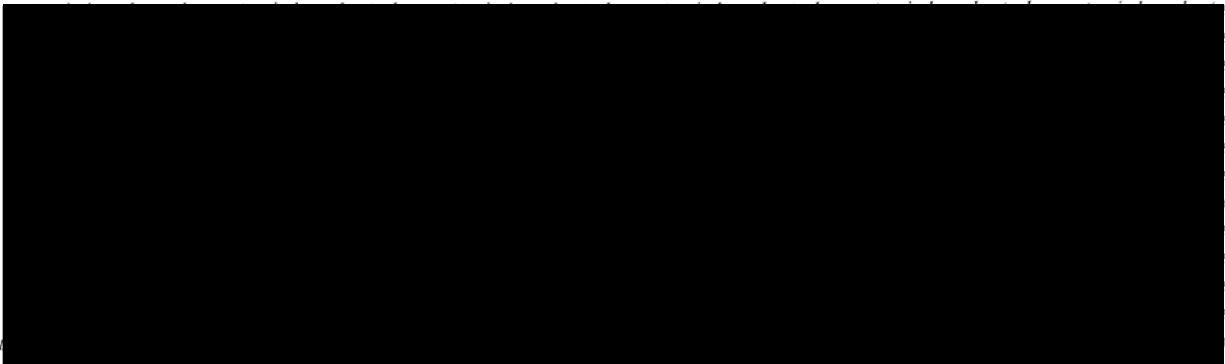
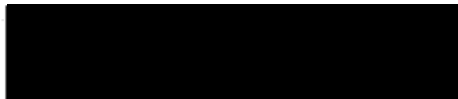
SPECIFICATION OF CHARGES

FIRST SPECIFICATION

VIOLATING A TERM OF PROBATION

Respondent is charged with committing professional misconduct as defined in N.Y. Educ. Law §6530(29) (McKinney Supp. 1996) by violating any term of probation or condition or limitation imposed on the licensee pursuant to section two hundred thirty of the public health law, as alleged in the facts of:

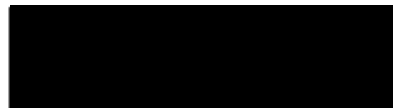
1.



d
d
d
d
d
d
d
d
d
d
d



DATED: October 7, 1996
New York, New York



ROY NEMERSON
Deputy Counsel
Bureau of Professional
Medical Conduct

LAW OFFICES
MOGILL, POSNER & COHEN

SUITE 930
ONE KENNEDY SQUARE BUILDING
719 GRISWOLD
DETROIT, MICHIGAN 48226-3300

(313) 962-7210
TELECOPIER (313) 961-7799

NY'S DEPT. OF HEALTH
DIVISION OF LEGAL AFFAIRS
PROFESSIONAL MEDICAL CONDUCT

NOV 18 1996

RECEIVED

KENNETH M. MOGILL
M. JON POSNER
MARJORY S. COHEN

November 11, 1996

Terrence Sheehan
Associate Counsel
Bureau of Professional
Medical Conduct
5 Penn Plaza
New York NY 10001

re: Neil J. Farkas, D.C.

Dear Mr. Sheehan:

Pursuant to your October 9, 1996, letter to Dr. Farkas and our telephone conversation of October 30, enclosed please find Application to Surrender License and Supporting Affidavit, executed by Dr. Farkas, and subject to the conditions set out in this letter.¹

material redacted - material redacted - material redacted - material redacted

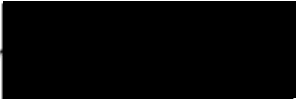
If the above is incorrect, please advise me promptly in writing and return to me the Application to Surrender License and Affidavit.

¹While I do not challenge the Board's jurisdiction in this matter, and I acknowledge that Dr. Farkas is registered in New York state, I note that Dr. Farkas has not been actively licensed in New York state for several years.

Terrence Sheehan, Esq.
November 11, 1996
Page 2

Thank you in advance for your attention to this matter.

Sincerely,


Kenneth M. Mogill

//
encl
c: Neil J. Parkas, D.O.