

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

BPMC No. 19-148

IN THE MATTER  
OF  
JAMES DENIER, M.D.

COMMISSIONER'S  
ORDER OF  
SUMMARY  
ACTION

TO: JAMES DENIER, M.D.  


The undersigned, Sally Dreslin, M.S., R.N., Executive Deputy Commissioner, upon the recommendation of a Committee on Professional Medical Conduct of the State Board for Professional Medical Conduct, and upon the criminal complaint in the State of Rhode Island v. James Denier, has determined that JAMES DENIER, M.D. (henceforth: "Respondent"), New York license number 215289, has been charged with committing acts that constitute a felony under another state's law, which if committed within this state, would have constituted a felony under New York State law and in the Executive Deputy Commissioner's opinion, the Respondent's alleged conduct constitutes an imminent danger to the health of the people. Attached hereto as Appendix A and made a part hereof is the criminal complaint in State of Rhode Island v. James Denier.

It is therefore:

ORDERED, pursuant to N.Y. Pub. Health Law §230(12)(b), that effective immediately, Respondent shall discontinue or refrain from practicing medicine in the State of New York, or discontinue or refrain from practicing in any setting under the authority of Respondent's New York license.

Any practice of medicine in violation of this Order shall constitute  
Professional Misconduct within the meaning of N.Y. Educ. Law

§6530(29) and may constitute unauthorized medical practice, a

Felony defined by N.Y. Educ. Law §6512.

This Order shall remain in effect until the final conclusion of a hearing which shall commence within ninety days of the service of this order and shall end within ninety days thereafter. The hearing will be held pursuant to the provisions of N.Y. Pub. Health Law §230, and N.Y. State Admin. Proc. Act §§301-307 and 401. The hearing will be conducted before a committee on professional conduct of the State Board for Professional Medical Conduct on a date and at a location to be set forth in a written Notice of Hearing or Notice of Referral Proceeding to be provided to the Respondent at a later date and which will detail allegations of professional medical conduct in an attached Statement of Charges. If at any time the felony charges are dismissed, withdrawn, or reduced to non-felony charges, this Order shall terminate.

THESE PROCEEDINGS MAY RESULT IN A DETERMINATION THAT YOUR LICENSE TO PRACTICE MEDICINE IN NEW YORK STATE BE REVOKED OR SUSPENDED, AND/OR THAT YOU BE FINED OR SUBJECT TO OTHER SANCTIONS SET FORTH IN NEW YORK PUBLIC HEALTH LAW §230-a. YOU ARE URGED TO OBTAIN AN ATTORNEY TO REPRESENT YOU IN THIS MATTER.

DATED: Albany, New York  
June 14, 2019


  
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Sally Dreslin, M.S., R.N.  
Executive Deputy Commissioner  
New York State Health Department

Inquiries should be directed to:

Ian H. Silverman  
Associate Counsel  
New York State Health Department  
Bureau of Professional Medical Conduct  
Corning Tower, Room 2512  
Albany, NY, 12237

Phone: 518-473-4282  
[REDACTED]

# Appendix A

DISTRICT COURT NO	COURT DIVISION	POLICE NO	 <b>STATE OF RHODE ISLAND DISTRICT COURT CRIMINAL COMPLAINT</b>
STATE EX	VS. DEFENDANT (NAME AND ALIAS)	19-966-AR	
FILE	JAMES M DENIER Alias- J. Doe- JAMES M DENIER		
DEFENDANT ADDRESS AND PHONE			
STREET	CITY	STATE	PHONE
DEF DOB	DEF DOB MO	DEF DOB SEC NO	DEF DOB DAY NO
DEFENSE DATE	DEFENSE DATE	DEFENSE DATE	DEFENSE DATE
OFFENSE DATE	OFFENSE DATE	OFFENSE DATE	OFFENSE DATE
05/24/2019	05/24/2019	05/24/2019	05/24/2019
POLICE DEPT/COMPLAINANT ADDRESS			
Warwick Police Department, 99 Veterans Memorial Dr			

TO ANY JUDGE OR JUSTICE OF THE PEACE		ON BEHALF OF THE STATE I SWEAR THAT THE ABOVE DEFENDANT DID COMMIT THE FOLLOWING OFFENSES:	
OFFENSE/COMPLAINANT	DATE	SWORN TO BEFORE JUDGE/JUSTICE OF THE PEACE	DATE
E		X	
INITIAL APPEARANCE			
APPEARANCE DATE	DATE FOR ALL ACCOUNTS	ARRAIGNMENT DATE	JUSTICE OF THE PEACE
	5		
ARRAIGNMENT			
ARRAIGNMENT DATE	ADVISED OF RIGHTS	JURY TRIAL WAIVED	PLEA COUNT 1
	<input type="checkbox"/> YES <input type="checkbox"/> NO	<input type="checkbox"/> YES <input type="checkbox"/> NO	PLEA COUNT 2
DATE FOR ALL COUNTS	ATTORNEY NAME	JUDGE/JUSTICE OF THE PEACE	PLEA COUNT 3
		X	

COUNT 1	STATUTE(S) VIOLATED	21-28-4.07.1	<input checked="" type="checkbox"/> FELONY	<input type="checkbox"/> MISDEMEANOR	<input type="checkbox"/> VIOLATION	<input type="checkbox"/> ORCHANCE
On 05/24/19 James Denier [REDACTED] did distribute marijuana to a juvenile female on the grounds of the Pilgrim High School at 111 Pilgrim Parkway Warwick, RI in violation of 21-28-4.07.1.						

DISPOSITION	SENTENCE IMPOSED
<input type="checkbox"/> DISMISSAL <input type="checkbox"/> GUILTY PLEA <input type="checkbox"/> NOLO PLEA <input type="checkbox"/> GUILTY FINDING	<input type="checkbox"/> NOT GUILTY FINDING <input type="checkbox"/> CASE FILED 1 YEAR <input type="checkbox"/> INFO TRUE BILL <input type="checkbox"/> NO INFO TRUE BILL <input type="checkbox"/> OTHER
PROCEEDING	APPEAL TAKEN
<input type="checkbox"/> ARRAIGN <input type="checkbox"/> PRE TRIAL <input type="checkbox"/> TRIAL <input type="checkbox"/> OTHER	<input type="checkbox"/> JUDGE <input checked="" type="checkbox"/> X

COUNT 2	STATUTE(S) VIOLATED	21-28-4.07 (A)	<input checked="" type="checkbox"/> FELONY	<input type="checkbox"/> MISDEMEANOR	<input type="checkbox"/> VIOLATION	<input type="checkbox"/> ORCHANCE
On 05/24/19 James Denier [REDACTED] did distribute a controlled substance, to wit Marijuana, to a juvenile female who is more than 3 years his junior in violation of 21-28-4.07(c).						

DISPOSITION	SENTENCE IMPOSED
<input type="checkbox"/> DISMISSAL <input type="checkbox"/> GUILTY PLEA <input type="checkbox"/> NOLO PLEA <input type="checkbox"/> GUILTY FINDING	<input type="checkbox"/> NOT GUILTY FINDING <input type="checkbox"/> CASE FILED 1 YEAR <input type="checkbox"/> INFO TRUE BILL <input type="checkbox"/> NO INFO TRUE BILL <input type="checkbox"/> OTHER
PROCEEDING	APPEAL TAKEN
<input type="checkbox"/> ARRAIGN <input type="checkbox"/> PRE TRIAL <input type="checkbox"/> TRIAL <input type="checkbox"/> OTHER	<input type="checkbox"/> JUDGE <input checked="" type="checkbox"/> X

COUNT 3	STATUTE(S) VIOLATED		<input type="checkbox"/> FELONY	<input type="checkbox"/> MISDEMEANOR	<input type="checkbox"/> VIOLATION	<input type="checkbox"/> ORCHANCE
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DISPOSITION	SENTENCE IMPOSED
<input type="checkbox"/> DISMISSAL <input type="checkbox"/> GUILTY PLEA <input type="checkbox"/> NOLO PLEA <input type="checkbox"/> GUILTY FINDING	<input type="checkbox"/> NOT GUILTY FINDING <input type="checkbox"/> CASE FILED 1 YEAR <input type="checkbox"/> INFO TRUE BILL <input type="checkbox"/> NO INFO TRUE BILL <input type="checkbox"/> OTHER
PROCEEDING	APPEAL TAKEN
<input type="checkbox"/> ARRAIGN <input type="checkbox"/> PRE TRIAL <input type="checkbox"/> TRIAL <input type="checkbox"/> OTHER	<input type="checkbox"/> JUDGE <input checked="" type="checkbox"/> X
VICTIM(S) NOTIFIED	VICTIM(S) APPEARED
<input type="checkbox"/> ARRAIGNMENT <input type="checkbox"/> PRE TRIAL <input type="checkbox"/> TRIAL	<input type="checkbox"/> ARRAIGNMENT <input type="checkbox"/> PRE TRIAL <input type="checkbox"/> TRIAL
CASE TYPE	IMMEDIATE APPEAL TAKEN
<input type="checkbox"/> DOMESTIC VIOLENCE	DATE
	X
ADDITIONAL COUNTS ATTACHED	
11	