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

IN THE MATTER
OF
JAMES DENIER, M.D.

BPMC No. 19-148

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 <u>State of Rhode Island v. James Denier</u>, 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 If at any time the felony charges are dismissed, withdrawn, or reduced to non-felony charges, this Order shall terminate.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

> Sally Øreslin, 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 Coming Tower, Room 2512 Albany, NY, 12237

Phone: 518-473-4282

Appendix A

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