



New York State Board for Professional Medical Conduct

Corning Tower • Empire State Plaza • Albany, NY 12237 • (518) 474-8357

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

Charles J. Vacanti, M.D.
Chair

April 19, 1996

CERTIFIED MAIL-RETURN RECEIPT REQUESTED

Albert S. Ford, Jr., M.D.
4431 Montibello Drive
Charlotte, North Carolina 28226

RE: License No. 184406

Effective Date: 04/26/96

Dear Dr. Ford:

Enclosed please find Order #BPMC 96-87 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

Sincerely,

Charles Vacanti, M.D.

Chair

Board for Professional Medical Conduct

Enclosure

cc: Zulima V. Farber, Esq.
Lowenstein, Sandler, Kohl, Fisher & Boylan
65 Livingston Avenue
Roseland, New Jersey 07068

Kevin P. Donovan, Esq.

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

-----X

IN THE MATTER :
OF : ORDER
ALBERT S. FORD, JR., M.D. : BPMC #96-87

-----X

Upon the application of ALBERT S. FORD, JR., 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:

April 16, 1996

for Mitchell Freed, M.D.
Charles J. Vacanti, M.D.
Chairperson
State Board for Professional
Medical Conduct

suspension of my license to practice medicine with eighteen months of that suspension stayed, conditioned on my full compliance with the Terms of Probation appended hereto as Appendix B, for a period of probation of three years.

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.

Albert S. Ford, Jr.
ALBERT S. FORD, JR., M.D.
RESPONDENT N. D. 5100179

Sworn to before me this
11 day of 11, 1996.

[Signature]
NOTARY PUBLIC

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

-----X
IN THE MATTER : APPLICATION
OF : FOR
ALBERT S. FORD, JR., M.D. : CONSENT
: ORDER
-----X

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

DATE: 4-11-96

Albert S. Ford, Jr. M.D.
ALBERT S. FORD, JR., M.D.
Respondent

DATE: 4/11/96

Zolima V. Farber
ZOLIMA V. FARBER, ESQ.
Attorney for Respondent

DATE: 4/15/96

Kevin P. Donovan
KEVIN P. DONOVAN
ASSOCIATE COUNSEL
Bureau of Professional
Medical Conduct

DATE: April 16, 1996

Anne F. Saile
ANNE F. SAILE
ACTING DIRECTOR
Office of Professional Medical
Conduct

DATE: April 16, 1996

Charles J. Vacanti, M.D.
CHARLES J. VACANTI, M.D.
CHAIRPERSON
State Board for Professional
Medical Conduct

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

-----X

IN THE MATTER : STATEMENT
OF : OF
ALBERT S. FORD, JR., M.D. : CHARGES

-----X

ALBERT S. FORD, JR., M.D., the Respondent, was authorized to practice medicine in New York State on October 22, 1990, by the issuance of license number 184406 by the New York State Education Department.

FACTUAL ALLEGATIONS

A. On or about July 1, 1982, Respondent entered an internship program at Harlem Hospital Center, New York City, New York; on or about March 31, 1983, Respondent was terminated from the residency program because of slow academic progress.

B. In or around 1990, Respondent signed an application for licensure to the New York State Department of Education in which he fraudulently listed his participation in the internship at Harlem Hospital as being from June 1982 until June 1983.

C. Respondent entered a psychiatric internship at Portsmouth Naval Hospital, Portsmouth, Virginia, on or about July 30, 1983; Respondent withdrew from the program in or about

May or September, 1984, after being advised to do so by the Commanding Officer, due to lack of medical knowledge.

D. In or around 1990, Respondent signed an application for licensure to the New York State Department of Education in which he fraudulently listed his participation in the internship program at Portsmouth Naval Hospital as being from June 1983 until June 1984.

E. In or around 1990, Respondent submitted an application for licensure to the New York State Department of Education in which he fraudulently answered "no" to the question, "Has any hospital or licensed facility restricted or terminated your professional training, employment, or privileges or have you ever voluntarily or involuntarily resigned or withdrawn from such associations to avoid imposition of such measures?"

F. In an application dated February 17, 1990, to Albany Medical Center Hospital, Albany, New York, Respondent fraudulently did not disclose his training programs at Harlem Hospital and Portsmouth Naval Hospital despite a question which asked him to list all hospitals in which he had worked.

G. In the Housestaff Information form for Albany Medical Center dated February 3, 1991, Respondent fraudulently did not disclose his training programs at Harlem Hospital and Portsmouth Naval Hospital although he was asked to list prior residency experience in other accredited programs.

H. In a Resident/Fellow Information Form for Albany Medical Center Hospital, dated in 1993, Respondent fraudulently did not disclose his residency experience at Harlem Hospital and at Portsmouth Naval Hospital although he was asked for prior residency experience at accredited programs in the U.S.

I. In a Consent Order dated August 31, 1994, of the North Carolina Board of Medical Examiners, Respondent admitted that he had not been entirely truthful on his application for licensure in that state because he failed to mention that he had been asked to leave a graduate medical training program; Respondent's license was revoked, but a temporary license was issued. The conduct underlying the North Carolina discipline would, if committed in New York State, constitute professional misconduct under the laws of New York State, namely practicing the profession fraudulently within the meaning of New York Educ. Law §6530(2) (McKinney Supp. 1996).

SPECIFICATIONS OF MISCONDUCT

FIRST THROUGH SIXTH SPECIFICATIONS

FRAUD

Respondent is charged with practicing the profession fraudulently within the meaning of New York Education Law §6530(2) (McKinney Supp. 1996), in that Petitioner charges:

1. The facts of paragraphs A and B.
2. The facts of paragraphs C and D.

- 3. The facts of paragraphs A, C and E.
- 4. The facts of paragraphs A, C and F.
- 5. The facts of paragraphs A, C and G.
- 6. The facts of paragraphs A, C and H.

SEVENTH SPECIFICATION

DISCIPLINARY ACTION BY ANOTHER STATE

Respondent is charged with professional misconduct within the meaning of New York Education Law §6530(9)(d) (McKinney Supp. 1996) in that he had disciplinary action taken against his license by a duly authorized professional disciplinary agency of another state, where the conduct resulting in the disciplinary action would, if committed in New York State, constitute professional misconduct under the laws of New York State, in that Respondent charges:

- 7. The facts of paragraph I.

DATED: *January 24*, 1996
Albany, New York

Peter D. Van Buren
PETER D. VAN BUREN
Deputy Counsel
Bureau of Professional
Medical Conduct

EXHIBIT B

TERMS OF PROBATION

1. Respondent will personally meet with a member of the Office of Professional Medical Conduct staff on an annual basis at the discretion of the Director of the Office or designee.
2. Respondent will conform fully:
 - a. to the professional standards of conduct imposed by law and by his profession; and
 - b. with all civil and criminal laws, rules and regulations.
3. Respondent will notify the Office of Professional Medical Conduct of:
 - a. any and all investigations, charges, convictions or disciplinary actions taken by any local, state or federal agency, institution or facility, within thirty days of each action;
 - b. his personal and professional addresses and telephone numbers and facility affiliations, and any and all changes in personal and professional addresses and telephone numbers and facility affiliations, within 30 days of such changes, including any change in practice location, within or outside of the State of New York. The date of departure from the State of New York, and the date of return, if any, must be reported in writing.

Failure to notify the Office of Professional Medical Conduct of any of the above will be considered a violation of probation.
4. Respondent will maintain legible and complete medical records which accurately reflect evaluation and treatment of patients. Records will contain a comprehensive history, physical examination findings, chief complaint, present illness, diagnosis and treatment. In cases of prescribing, dispensing, or administering of controlled substances, the medical record will contain all information required by state rules and regulations regarding controlled substances.
5. Respondent will maintain current registration of his license during the period of probation. Within 90 days of the date of this Order, Respondent shall provide proof of current registration to the Director of OPMC.
6. Respondent shall assume and bear all costs related to compliance with the terms of probation.

7. So long as there is full compliance with every term herein set forth, Respondent may continue to practice his or her profession in accordance with the terms of probation. Upon receipt of evidence of non compliance with, or any violation of these terms, the Director of the Office of Professional Medical Conduct and/or the Board may initiate a violation of probation proceeding and/or any such other proceeding against Respondent as may be authorized by law.