



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

February 5, 1996

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

Ambroise Jean-Joseph Forte, M.D.
19499 N.E. 10th Avenue
Suite 222
Miami, Florida 33179

Re: NY License No. ¹⁵⁴²⁶⁹~~154629~~

Dear Dr. Forte:

Effective Date: 02/12/96

Enclosed please find Order #BPMC 96-14 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: Timothy Mahar

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

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IN THE MATTER :
OF : ORDER
ANBROISE JEAN-JOSEPH FORTE, M.D. : BPMC #96-14

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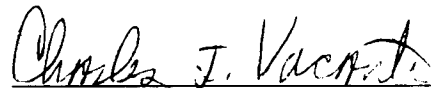
Upon the application of ANBROISE JEAN-JOSEPH FORTE, M.D.
(Respondent) for Consent Order, which application is made a part
hereof, it is

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: 31 January 1996



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

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IN THE MATTER : APPLICATION
OF : FOR
AMBROISE JEAN-JOSEPH FORTE, M.D. : CONSENT
: ORDER

-----X

STATE OF FLORIDA)
COUNTY OF BROWARD) ss.:

Ambroise Jean-Joseph Forte, M.D., being duly sworn, deposes and says:

That on or about May 27, 1983, I was licensed to practice as a physician in the State of New York, having been issued License No. 154269 by the New York State Education Department.

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 hereby plead no contest to the allegations and Specification set forth in the Statement of Charges (Exhibit A).

I hereby agree to the penalty of a three year suspension of my medical license, said suspension to be stayed and in lieu thereof, I will serve a three year probation in accordance with the terms set forth in Appendix B hereto. The probationary term

is to be tolled until such time as I advise the Office of Professional Medical Conduct in writing that I am actively engaged in the practice of medicine in the State of New York. Said period of probation will commence upon the date of such notification. The term of probation shall only run during the period in which I am actively engaged in the practice of medicine in the State of New York.

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.

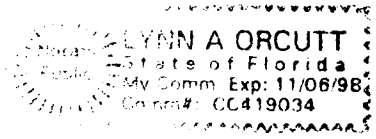
I am making this Application of my own free will and accord and not under duress, compulsion or restraint of any kind or manner.

J. Forte
Ambroise Jean-Joseph Forte, M.D.
RESPONDENT

Sworn to before me this

22 day of *Jan*, 1996.

Lynn A. Orcutt
NOTARY PUBLIC

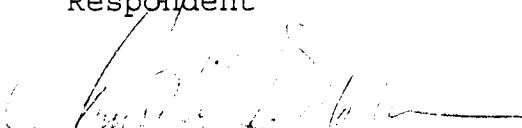



STATE OF NEW YORK : DEPARTMENT OF HEALTH
STATE BOARD FOR PROFESSIONAL MEDICAL CONDUCT

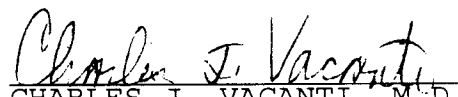
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IN THE MATTER : APPLICATION
OF : FOR
AMBROISE JEAN-JOSEPH FORTE, M.D. : CONSENT
: ORDER
-----X

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

DATE: 1-22-96 
AMBROISE JEAN-JOSEPH FORTE, M.D.
Respondent

DATE: 1/24/96 
TIMOTHY J. MAHAR
Assistant COUNSEL
Bureau of Professional
Medical Conduct

DATE: 1/27/96 
ANNE F. SAILE
ASSISTANT DIRECTOR
acting Office of Professional Medical
Conduct

DATE: 31 January 1996 
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

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IN THE MATTER : STATEMENT
OF : OF
AMBROISE JEAN-JOSEPH FORTE, M.D. : CHARGES

-----X

AMBROISE JEAN-JOSEPH FORTE, M.D., the Respondent, was authorized to practice medicine in New York State on May 27, 1983, by the issuance of license number 154269 by the New York State Education Department.

FACTUAL ALLEGATIONS

1. On or about September 14, 1994, the Respondent entered into a stipulated consent order with the Florida Board of Medicine (hereinafter Florida Board), wherein Respondent consented to the following discipline against his Florida medical license:

- a. Respondent was required to pay a fine in the amount of \$3,000 (three thousand dollars);
- b. Respondent was reprimanded by the Florida Board;
- c. Respondent was required to attend and complete twenty hours of continuing medical education in internal medicine.

2. The conduct underlying the Florida Board's imposition of discipline upon Respondent included the following, as set forth in the administrative complaint brought before the Florida Board of Medicine:

- a. Between January 9, 1992 and May 5, 1992, Respondent prescribed a thyroid hormone to Patient B.T. for weight loss. Such drugs are not indicated for use in weight loss, and Respondent failed to consult with an endocrinologist or other specialist to confirm the indication for the use of such a drug in the care of Patient B.T.
- b. Respondent failed to document any indication for the use of a thyroid hormone in the record of Patient B.T.
- c. Respondent failed to monitor Patient B.T.'s thyroid levels either prior to or during the course of treating him with a thyroid medication.

3. The conduct upon which the Florida Board took disciplinary action against Respondent's license would, if committed in New York State, constitute professional misconduct under N.Y. Educ. Law §6530(3) [practicing the profession with negligence on more than one occasion]; §6530(4) [practicing the profession with gross negligence on a particular occasion]; §6530(5) [practicing the profession with incompetence on more than one occasion]; §6530(6) [practicing the profession with gross incompetence]; and/or §6530(32) [failing to maintain a record for each patient which accurately reflects the evaluation and treatment of the patient].

SPECIFICATION OF MISCONDUCT

First Specification

Discipline By Other State

Respondent is charged with Professional Misconduct within the meaning of N.Y. Educ. Law §6509(9)(d) (McKinney Supp. 1995) by reason of having disciplinary action taken against his license to practice 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 Petitioner charges:

1. The facts in paragraphs 1 through 3.

DATED: *January 2*, 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. Ambroise Jean-Joseph Forte, M.D, during the period of probation, shall conduct himself in all ways in a manner befitting his professional status, shall conform fully to the moral and professional standards of conduct imposed by law and by his profession, and shall conform fully with all civil and criminal laws, rules and regulations.
2. That Respondent shall submit written notification to the New York State Department of Health (NYSDOH), addressed to the Director, Office of Professional Medical Conduct, New York State Department of Health, Corning Tower Building, 4th Floor, Empire State Plaza, Albany, New York 12237 of any employment and practice, of Respondent's residence and telephone number, of any change in Respondent's employment, practice, residence, or telephone number within or without the State of New York within 30 days of such changes; and more particularly, Respondent shall immediately advise the Director of OPMC in writing, certified mail return receipt requested, that he is actively engaged in the practice of medicine in the State of New York; failure to timely provide or the failure to provide such notice shall be a violation of these probationary terms;
3. Respondent will notify the Office of Professional Medical Conduct of 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. Failure to notify the Office of Professional Medical Conduct of any of the above will be considered a violation of probation;
4. Respondent shall submit written proof from the Division of Professional Licensing Services (DPLS), New York State Education Department (NYSED), that Respondent has paid all registration fees due and owing to the NYSED and Respondent shall cooperate with and submit whatever papers are requested by DPLS in regard to said registration fees, said proof from DPLS to be submitted by Respondent to the New York State Department of Health, addressed to the Director, Office of Professional Medical Conduct, as aforesaid, no later than the first three months of the period of probation;
5. Respondent shall submit written proof to the NYSDOH, addressed to the Director, Office of Professional Medical Conduct, as aforesaid, that 1) Respondent is currently registered with the NYSED, unless Respondent submits written proof that Respondent has advised DPLS, NYSED, that Respondent is not engaging in the practice of Respondent's

profession in the State of New York and does not desire to register, and that 2) Respondent has paid any fines which may have previously been imposed upon Respondent by the Board or by the Board of Regents; said proof of the above to be submitted no later than the first two months of the period of probation;

6. Respondent will personally meet with a member of the Office of Professional Medical Conduct staff at the discretion of the Director of the Office or designee.
7. 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.
8. Respondent shall comply with all terms, conditions, restrictions, and penalties to which he is subject pursuant to the order of the Board;
9. Any civil penalty not paid by the date prescribed herein shall be subject to all provisions of law relating to debt collection by the State of New York. This includes but is not limited to the imposition of interest, late payment charges and collection fees; referral to the New York State Department of Taxation and Finance for collection; and non renewal of permits or licenses (Tax Law section 171(27); State Finance Law section 18; CPLR section 5001; Executive Law section 32).
10. So long as there is full compliance with every term herein set forth, Respondent may continue to practice his or her aforementioned profession in accordance with the terms of probation; provided, however, that upon receipt of evidence of noncompliance 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 such other proceeding against Respondent as may be authorized pursuant to the Public Health Law.
11. Respondent shall assume and bear all costs related to compliance with the terms of probation.