



**Department
of Health**

ANDREW M. CUOMO
Governor

HOWARD A. ZUCKER, M.D., J.D.
Commissioner

LISA J. PINO, M.A., J.D.
Executive Deputy Commissioner

December 8, 2020

CERTIFIED MAIL-RECEIPT REQUESTED

Lajos Lamperth, M.D.



Re: License No. 203923

Dear Dr. Lamperth:

Enclosed is a copy of the New York State Board for Professional Medical Conduct (BPMC) Order No. 20-301. This Interim Order of Conditions is effective December 8, 2020.

Please direct any questions to: Board for Professional Medical Conduct, Riverview Center, 150 Broadway, Suite 355, Albany, New York, 12204, telephone # 518-402-0846.

Sincerely,


Michael S. Jakubowski, M.D.
Interim Executive Secretary
Board for Professional Medical Conduct

Enclosure

cc: Douglas Nadjari, Esq.
Ruskin Moscou Faltischek, P.C.
1425 RXR Plaza
East Tower, 15th Floor
Uniondale, New York 11556-1425

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

BPMC No. 20-301

IN THE MATTER
OF
LAJOS LAMPERTH, M.D.


INTERIM
ORDER
OF CONDITIONS
PURSUANT TO
N.Y. PUB. HEALTH
LAW § 230

Upon the application of LAJOS LAMPERTH, M.D. (Licensee) in the attached Stipulation and Application for an Interim Order of Conditions Pursuant to N.Y. Pub. Health Law § 230, which is made a part of this Interim Order of Conditions Pursuant to N.Y. Pub. Health Law § 230, it is agreed that the Application, and its terms, are adopted, and this Order shall be effective upon issuance by the Board, either

- by mailing of a copy of this Order by first class mail to Licensee at the address in the attached Application or by certified mail to Licensee's attorney, or
- upon facsimile transmission to Licensee or Licensee's attorney, whichever is first.

SO ORDERED.

DATE 12/08/2020


THOMAS T. LEE, M.D.
Interim Chair
State Board for Professional Medical Conduct

**IN THE MATTER
OF
LAJOS LAMPERTH, M.D.**

STIPULATION AND
APPLICATION
FOR AN INTERIM
ORDER OF
CONDITIONS
PURSUANT TO
N.Y. PUB. HEALTH
LAW § 230

LAJOS LAMPERTH, M.D., represents that all of the following statements are true:

That on or about 7/24/96, I was licensed to practice as a physician in the State of New York and issued License No. 203923 by the New York State Education Department.

My current address is [REDACTED] I am affiliated with the following hospitals and/or facilities: Coney Island Hospital.

I understand that the New York State Board for Professional Medical Conduct ("the Board") is investigating alleged misconduct by me, and may pursue a proceeding pursuant to N.Y. Pub. Health Law § 230 with respect to the issues set forth in attached Exhibit "A" ("matters under investigation").

I agree to the Board's issuance of an Interim Order of Conditions restricting my practice of medicine in New York State as set forth below, and I agree to be bound by the Order, which shall continue in effect until:

- a determination by the Director of the Office of Professional Medical Conduct that no hearing is warranted; or
- the resolution by consent order of the matters under investigation; or
- issuance and service of a Hearing Committee's Determination and Order after the conclusion of a hearing held pursuant to a determination of the

Commissioner of Health or the Director of the Office of Professional Medical Conduct. The Hearing Committee's Determination and Order shall replace this Interim Order of Conditions. If either party requests review by the Administrative Review Board, the Hearing Committee's Determination and Order, and any sanction, terms or conditions imposed upon me, shall remain in effect until the ARB renders its determination and shall, in the same manner as a Commissioner's Order pursuant to N.Y. Pub. Health Law § 230-c(4), not be subject to a stay.

I understand that nothing in this Application shall be construed as an admission by me of any crime, any act of alleged misconduct or as a finding of misconduct as to the matters under investigation. My application for the proposed Interim Order is made in consideration of the value to me of the Board's allowing me to continue to practice medicine subject to the terms of this order, provide explanation of the issues under investigation to the Office of Professional Medical Conduct ("OPMC") and, if the Board pursues disciplinary proceedings against me, to allow for additional preparation time. I deny any acts of misconduct, waive no rights or privileges except those expressly waived herein and reserve my procedural due process rights, statutory rights and the right to assert all defenses on my behalf in any later or other proceeding.

This Interim Order shall impose the following Conditions on me pursuant to N.Y. Pub. Health Law § 230:

1. Licensee, in the practice of medicine, shall be
 - a. precluded from:

- i. Possessing, prescribing, ordering, dispensing or administering controlled substances,
- ii. Supervising mid-level practitioners in the prescribing, ordering, dispensing or administering of controlled substances,
- iii. Entering any electronic system used to order or prescribe controlled substances.

b. permitted only to:

- i. provide medical care and treatment to pain management patients, and
- ii. order and administer therapeutic regimens that do not require controlled substances, including physical therapy, trigger point injections and facet point injections, sacroiliac joint injections, and other therapeutic regimens recognized for the management of chronic pain and which do not involve the prescription, administration or dispensing of controlled substances.

2. Licensee shall refer to an appropriate physician any patient where the medical condition for such patient requires the use of controlled substances. Such referral shall not be to a physician with whom the Licensee has a personal or financial relationship, or within the same practice or location.
3. Within thirty days of the Consent Order's effective date, Licensee shall practice medicine only when monitored by a licensed physician, board

certified in an appropriate specialty, ("practice monitor") proposed by Respondent and subject to the written approval of the Director of OPMC. The practice monitor cannot be someone with whom the Licensee has a personal or financial relationship. Any medical practice in violation of this term shall constitute the unauthorized practice of medicine.

- a. Licensee shall make available to the monitor any and all records or access to the practice requested by the monitor, including on-site observation. Subject to limits posed by the Covid-19 pandemic, the practice monitor shall visit Licensee's medical practice at each and every location, on a random unannounced basis at least monthly and shall examine a selection (no fewer than 20) of records maintained by Licensee, including patient records, prescribing information and office records. The review will determine whether the Licensee's medical practice is conducted in accordance with the generally accepted standards of professional medical care. Any perceived deviation of accepted standards of medical care or refusal to cooperate with the monitor shall be reported within 24 hours to OPMC.
- b. Licensee shall be solely responsible for all expenses associated with monitoring, including fees, if any, to the monitoring physician.
- c. Licensee shall cause the practice monitor to report quarterly, in writing, to the Director of OPMC.

4. Licensee's conduct shall conform to moral and professional standards of conduct and governing law. Any act of professional misconduct by Licensee as defined in N.Y. Educ. Law §§ 6530 or 6531 shall constitute a violation of this Order and may subject Licensee to an action pursuant to N.Y. Pub. Health Law § 230.
5. Licensee shall provide the Director, Office of Professional Medical Conduct (OPMC), Riverview Center, 150 Broadway, Suite 355, Albany, New York 12204-2719 with the following information, in writing, and ensure that this information is kept current: a full description of Licensee's employment and practice; all professional and residential addresses and telephone numbers within and outside New York State; all current and past affiliations and/or privileges, with hospitals, institutions, facilities, medical practices, managed care organizations, and/or applications for such affiliations and/or privileges; and all investigations, arrests, charges, convictions or disciplinary actions by any local, state or federal agency, institution or facility. Licensee shall notify OPMC, in writing, within 30 days of any additions to or changes in the required information.
6. Licensee shall cooperate fully with OPMC in its administration and enforcement of this Interim Order and in its investigation of Licensee. Licensee shall respond in a timely manner to all OPMC requests for written periodic verification of compliance with the terms of this Interim Order. Licensee shall meet in person with the Director's designee, as directed.

Licensee shall respond promptly and provide all documents and information within Licensee's control, as directed. This condition shall take effect upon the effective date of the Interim Order and shall continue while Licensee possesses a license.

7. Licensee shall maintain complete and legible medical records that accurately reflect the evaluation and treatment of patients.
8. The Director may review Licensee's professional performance. This review may include but shall not be limited to: a review of office records, patient records and/or hospital charts; and interviews with or periodic visits with Licensee and staff at practice locations or OPMC offices.
9. Licensee shall provide access for DOH personnel to Licensee's office(s) to verify Licensee's compliance with this Interim Order; this access shall include, but not be limited to, on-site inspections, observation and interviews.
10. Licensee shall comply with this Order and all its terms, and shall bear all associated compliance costs.

I stipulate that:

My failure to comply with the Conditions imposed by this Interim Order shall constitute professional misconduct as defined in N.Y. Educ. Law § 6530(29); and

Any practice of medicine by me in New York State in violation of this Interim Order shall be unauthorized and constitute professional misconduct as defined in N.Y. Educ. Law § 6530(2); and

Unauthorized medical practice is a felony as defined in N.Y. Educ. Law § 6512.

I understand and agree that my failure to comply with any of the terms of this Interim Order shall authorize the Director, exercising reasonable discretion, to pursue further investigation and/or prosecution of misconduct charges against me as to any misconduct issues, including but not limited to those set forth in Exhibit "A", to the full extent authorized by N.Y. Pub. Health Law and N.Y. Educ. Law.

I agree that, if the Board grants this Application, the Chair of the Board shall issue an Interim Order of Conditions in accordance with its terms. I further agree that the Department of Health shall notify the National Practitioner Data Bank and the Federation of State Medical Boards of this Interim Order of Conditions pursuant to N.Y. Pub. Health Law § 230 and that the change in my licensure status is not disciplinary in nature. This Interim Order of Conditions [with the exception of Exhibit "A," which shall remain a part of the investigative files of the Office of Professional Medical Conduct within the meaning of N.Y. Pub. Health Law § 230(10)(a)(v)] shall be posted on the Department of Health website(s).

I further agree that this Interim Order of Conditions does not preclude the Office of Professional Medical Conduct from taking any additional action, including potential summary suspension, if there are additional criminal charges brought against Licensee, even if the underlying conduct predates this Interim Order of Conditions.

I make this Application of my own free will and not under duress, compulsion or restraint. In consideration of the value to me of the Board's acceptance of this Application, I waive my right to contest the Interim Order for which I apply, whether administratively or judicially, I agree to be bound by the Interim Order, and I ask that the Board grant this Application. I assert and understand that the terms and conditions of this Order do not

require me to waive my rights pursuant to the Fifth Amendment of the United States Constitution or Article 1 § 6 of the New York State Constitution. In addition, this Interim Order of Conditions shall not be deemed as a waiver of any statutory or constitutional due process rights.


I understand and agree that the attorney for the Department, the Director of the Office of Professional Medical Conduct and the Chair of the State Board for Professional Medical Conduct each retain complete discretion either to enter into the proposed agreement and Interim Order based upon my Application, or to decline to do so. I further understand and agree that no prior or separate written or oral communication can limit that discretion.

DATE 12/06/2020



LAJOS LAMPERTH, M.D.
Licensee

The undersigned agree to Licensee's attached Interim Order of Conditions and to its proposed terms and conditions.


DATE: 12/7/20


DOUGLAS NADJARI, ESQ.
Attorney for Licensee

DATE: 12/7/20


LESLIE EISENBERG
Associate Counsel
Bureau of Professional Medical Conduct

DATE: 12/8/2020


PAULA M. BREEN
Director
Office of Professional Medical Conduct