



Department of Health

KATHY HOCHUL
Governor

MARY T. BASSETT, M.D., M.P.H.
Commissioner

KRISTIN M. PROUD
Acting Executive Deputy Commissioner

October 28, 2022

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

Craig Byron Olson, M.D.
[REDACTED]

David W. Quist, Esq.
New York State Department of Health.
Bureau of Professional Medical Conduct
Corning Tower Building, Room 2512
Empire State Plaza
Albany, New York 12237

RE: In the Matter of Craig Byron Olson, M.D.

Dear Parties:

Enclosed please find the Determination and Order (No. 22-224) of the Hearing Committee in the above referenced matter. This Determination and Order shall be deemed effective upon the receipt or seven (7) days after mailing by certified mail as per the provisions of §230, subdivision 10, paragraph (h) of the New York State Public Health Law.

Five days after receipt of this Order, you will be required to deliver to the Board of Professional Medical Conduct your license to practice medicine together with the registration certificate. Delivery shall be by either certified mail or in person to:

Office of Professional Medical Conduct
New York State Department of Health
Office of Professional Medical Conduct
Riverview Center
150 Broadway - Suite 355
Albany, New York 12204

If your license or registration certificate is lost, misplaced or its whereabouts is otherwise unknown, you shall submit an affidavit to that effect. If subsequently you locate the requested items, they must then be delivered to the Office of Professional Medical Conduct in the manner noted above.

As prescribed by the New York State Public Health Law §230, subdivision 10, paragraph (i), (McKinney Supp. 2015) and §230-c subdivisions 1 through 5, (McKinney Supp. 2015), "the determination of a committee on professional medical conduct may be reviewed by the Administrative Review Board for professional medical conduct." Either the licensee or the Department may seek a review of a committee determination.

Request for review of the Committee's determination by the Administrative Review Board stays penalties other than suspension or revocation until final determination by that Board. Summary orders are not stayed by Administrative Review Board reviews.

All notices of review must be served, by certified mail, upon the Administrative Review Board and the adverse party within fourteen (14) days of service and receipt of the enclosed Determination and Order.

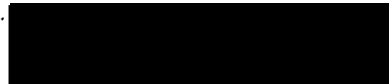
The notice of review served on the Administrative Review Board should be forwarded to:

Jean T. Carney, Administrative Law Judge
New York State Department of Health
Bureau of Adjudication
Riverview Center
150 Broadway – Suite 510
Albany, New York 12204

The parties shall have 30 days from the notice of appeal in which to file their briefs to the Administrative Review Board. Six copies of all papers must also be sent to the attention of Ms. Carney at the above address and one copy to the other party. The stipulated record in this matter shall consist of the official hearing transcript(s) and all documents in evidence.

Parties will be notified by mail of the Administrative Review Board's Determination and Order.

Sincerely,



Natalie J. Bordeaux
Chief Administrative Law Judge
Bureau of Adjudication

NJB: cmg
Enclosure

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

COPY

-----X
IN THE MATTER
OF
CRAIG BYRON OLSON, M.D.
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DETERMINATION
AND
ORDER
BPMC-22-224

A Notice of Referral Proceeding and Statement of Charges dated July 14, 2022, were duly served upon Craig Byron Olson, M.D. (Respondent) pursuant to Public Health Law (PHL) § 230(10)(d)(i). (Exhibits 1, 2.) A hearing was held on October 19, 2022, via WebEx videoconference. Pursuant to § 230(10)(e) of the PHL, **STEVEN M. LAPIDUS, M.D.**, Chairperson, **ELISA J. WU, M.D.** and **JOAN MARTINEZ MCNICHOLAS**, duly designated members of the State Board for Professional Medical Conduct, served as the hearing committee. **NATALIE BORDEAUX** served as the administrative officer.

The Department appeared by David Quist, Associate Attorney. The Respondent did not appear. The Hearing Committee received and examined documents from the Department (Exhibits 1-5). A transcript of the proceeding was made. After consideration of the entire hearing record, the Hearing Committee hereby issues this Determination and Order. All findings, conclusions, and determinations are unanimous.

BACKGROUND

The Department brought the case pursuant to PHL § 230(10)(p), which provides for a hearing when a licensee is charged solely with a violation of Education Law § 6530(9). The Respondent is charged with professional misconduct pursuant to Education Law § 6530(9)(d), by having disciplinary action taken against his license to practice medicine in Arkansas where the conduct

resulting in the disciplinary action taken would, if committed in New York state, constitute professional misconduct under the laws of New York. Under PHL § 230(10), the Department had the burden of proving its case by a preponderance of the evidence.

FINDINGS OF FACT

1. The Respondent was authorized to practice medicine in New York on July 21, 1989 under license number 179105. (Exhibit 3.)

2. On September 4, 2020, the Arkansas State Medical Board (Arkansas Board) issued an Emergency Order of Suspension and Notice of Hearing to the Respondent, advising him that his license to practice medicine in Arkansas was suspended on an emergency basis, pending a disciplinary hearing, due to allegations that the Respondent habitually, intemperately and excessively used narcotics while practicing medicine, in violation of the Arkansas Medical Practices Act. (Exhibit 4.)

3. On June 16, 2022, the Arkansas Board determined that the Respondent's violations at the time of the Emergency Order of Suspension have been remedied and no longer exist. The Respondent was granted permission to renew his Arkansas medical license, subject to the following requirements: (a) that he present a mentor and re-entry plan to the Arkansas Board; (b) that he take 50 hours of continuing medical education for each year out of practice; (c) that he undergo another neuro-psych evaluation within six to 12 months and follow all recommendations of the evaluation and the Arkansas Medical Foundation; and (d) that he obtain the Arkansas Medical Foundation's approval of his work site. (Exhibit 5.)

DISCUSSION

In September 2020, the Arkansas Board determined that the Respondent was a habitual, intemperate, or excessive user of narcotics, and temporarily suspended his license to practice.

Thereafter, on June 16, 2022, the Arkansas Board reinstated his medical license, subject to, among other conditions, practice monitoring, continuing medical education, and a neuro-psych evaluation. The Department's July 14, 2022 Statement of Charges alleges that the Respondent's misconduct in Arkansas would, if committed in New York, constitute professional misconduct as defined in Education Law § 6530(7), practicing while impaired, and/or Education Law § 6530(8), being a habitual user of alcohol, or being dependent on or a habitual user of narcotics, barbiturates, amphetamines, hallucinogens, or other drugs having similar effects. (Exhibit 1.)

The Hearing Committee agreed that the Respondent's actions resulting in the Arkansas Board's disciplinary actions would, if committed in New York, constitute misconduct pursuant to both Education Law § 6530(7) and § 6530(8). The Hearing Committee thus determined that the Respondent violated Education Law § 6530(9)(d).

After determining to sustain the charge, the Committee considered all possible penalties authorized by PHL § 230-a. The Hearing Committee agreed with the Department's recommendation that the Respondent's license be revoked. As the Respondent failed to present himself for this hearing and explain whether he has complied with all requirements instituted by the Arkansas Board, the Hearing Committee had no means of ascertaining whether his behavior, which occurred in the course of his medical practice, has been corrected. Therefore, the only means of ensuring the safety of patients in New York is by revoking the Respondent's medical license.

ORDER

IT IS HEREBY ORDERED THAT:

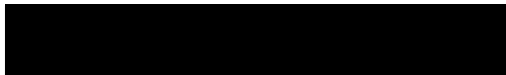
1. The specification of professional misconduct, as set forth in the Statement of Charges, is sustained.

2. The Respondent's license to practice medicine in the state of New York is hereby revoked under PHL § 230-a(4).


3. This Order shall be effective upon service on the Respondent in accordance with the requirements of PHL § 230(10)(h).

DATED: Oct 27th, 2022

Carmel, New York


Steven M. Lapidus, M.D., Chairperson
Elisa J. Wu, M.D.
Joan Martinez McNicholas

To: Craig Byron Olson, M.D.


David W. Quist, Associate Attorney
New York State Department of Health
Bureau of Professional Medical Conduct
Coming Tower - Room 2512
Empire State Plaza
Albany, NY 12237

IN THE MATTER
OF
CRAIG BYRON OLSON, M.D.

STATEMENT
OF
CHARGES

CRAIG BYRON OLSON, M.D., the Respondent, was authorized to practice medicine in New York State on or about July 21, 1989, by the issuance of license number 179105 by the New York State Education Department.

FACTUAL ALLEGATIONS

A. On or about June 16, 2022, the Arkansas State Medical Board (“Board”) issued Findings of Fact, Conclusions of Law and Order (“Order”) stating that the Board had received information that Respondent had habitually used narcotics while practicing medicine, leading to the issuance by the Arkansas State Medical Board of an Emergency Order of Suspension and Notice of Hearing (“Emergency Order”) on or about September 4, 2020. The Board found that Respondent’s actions constituted unprofessional conduct under Arkansas law, consisting of the habitual, intemperate, or excessive use of narcotics.

B. Pursuant to the terms of the Order, Respondent was required to undergo a neuro-psych evaluation within six to twelve months and to follow all recommendations of the evaluation and the (Arkansas Medical) Foundation, to present a mentor and re-entry plan for the Board’s approval, to appear before the Board with the mentor for an update in six months, to obtain the Foundation’s approval for his work site, and to take fifty hours of CME for each year out of practice.

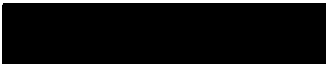
C. The conduct resulting in the Arkansas Order against Respondent would constitute misconduct under the laws of New York State pursuant to New York Education Law § 6530 (7) (practicing while impaired) and/or § 6530(8) (habitual user).

SPECIFICATION OF CHARGES
FIRST SPECIFICATION
HAVING HAD DISCIPLINARY ACTION TAKEN

Respondent is charged with committing professional misconduct as defined in N.Y. Educ. Law § 6530(9)(d) by having the Respondent's license to practice medicine revoked, suspended or having other disciplinary action taken, or having the Respondent's application for a license refused, revoked or suspended or having voluntarily or otherwise surrendered the Respondent's license after a disciplinary action was instituted by a duly authorized professional disciplinary agency of another state, where the conduct resulting in the revocation, suspension or other disciplinary action involving the license or refusal, revocation or suspension of an application for a license or the surrender of the license would, if committed in New York state, constitute professional misconduct under the laws of New York state (namely N.Y. Educ. Law § 6530(7) and/or (8)) as alleged in the facts of the following:

1. The facts in Paragraphs A, B, and C.

DATE: July 14, 2022
Albany, New York



JEFFREY J. CONKLIN
Acting Deputy Counsel
Bureau of Professional Medical Conduct