

**These charges are only allegations
which may be contested by the licensee
in an administrative hearing.**

IN THE MATTER

OF

THOMAS McWEENEY, M.D.

STATEMENT

OF

CHARGES

Thomas McWeeney, M.D., the Respondent, was authorized to practice medicine in New York State on or about September 17, 1987, by the issuance of license number 172370 by the New York State Education Department.

FACTUAL ALLEGATIONS

A. On or about July 1, 2021, the State of Oregon Medical Board, (hereinafter, "Oregon Board"), by a Stipulated Order (hereinafter, "Oregon Order"), inter alia, limited Respondent's license to practice medicine in the State of Oregon to an office-based, outpatient, non-surgical practice only. The disciplinary action taken by the Oregon Board was based upon Respondent having engaged in unprofessional or dishonorable conduct in violation of ORS 677.190(1)(a); fraud or misrepresentation in applying for or procuring a license to practice in violation of ORS 677.190(8); repeated negligence in the practice of medicine in violation of ORS 677.190(13); violation of an Oregon Board order in violation of ORS 677.190(17); and failure to report to the Oregon Board any adverse action taken against Respondent by a health care institution or professional or medical society or association in violation of ORS 677.190(26).

B. Respondent neither admitted nor denied the charges, but the Oregon Board found that Respondent's conduct violated ORS 677.190(1)(a); ORS 677.190(8); ORS 677.190(13); OPS 677.190(17); and ORS 677.190(26).

C. The conduct resulting in the Oregon Board's disciplinary action against Respondent would constitute misconduct under the laws of New York State, pursuant to the following sections of New York State law:

1. New York Education Law §6530(1) (Obtaining the license fraudulently);
2. New York Education Law §6530(3) (Practicing the profession with negligence on more than one occasion);
3. New York Education Law §6530(20) (Conduct in the practice of medicine which evidences moral unfitness to practice medicine);
4. New York Education Law §6530(21) (Failing to file a report required by law or by the department of health or the education department);
5. New York Education Law §6530(29) (Violating any term of probation or condition or limitation imposed on the Licensee)

SPECIFICATION OF CHARGES

FIRST SPECIFICATION

HAVING BEEN FOUND GUILTY OF PROFESSIONAL MISCONDUCT

Respondent is charged with committing professional misconduct as defined in N.Y. Educ. Law § 6530(9)(b) by having been found guilty of improper professional practice or professional misconduct by a duly authorized professional disciplinary agency of another state where the conduct upon which the finding was based would, if committed in New York state, constitute professional misconduct under the laws of New York State as alleged in the facts of the following:

1. The facts in Paragraphs A, B and C and C1, C and C2, C and C3, C and C4, and/or C and C5.


SECOND 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 as alleged in the facts of the following:

2. The facts in Paragraphs A , B, and C and C1, C and C2, C and C3, C and C4, and/or C and C5.

DATE: May 22, 2022
Albany, New York


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