



*New York State Board for Professional Medical Conduct*

433 River Street, Suite 303 Troy, New York 12180-2299 • (518) 402-0863

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

Patrick F. Carone, M.D., M.P.H.  
Chair  
Ansel R. Marks, M.D., J.D.  
Executive Secretary

July 8, 1997

**CERTIFIED MAIL-RETURN RECEIPT REQUESTED**

Ian M. Galloway, M.D.  
3985 Bristol Road  
Clinton, New York 13323

RE: License No. 095445

Dear Dr. Galloway:

Enclosed please find Order #BPMC 97-165 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  
Hedley Park Place, Suite 303  
433 River Street  
Troy, New York 12180

Sincerely,

Ansel R. Marks, M.D., J.D.  
Executive Secretary  
Board for Professional Medical Conduct

Enclosure

cc: Kevin C. Roe, Esq.

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

-----X

IN THE MATTER : SURRENDER  
OF : ORDER  
IAN M. GALLOWAY, M.D. : BPMC # 97-165

-----X

IAN M. GALLOWAY, M.D., being duly sworn, deposes and says:  
On or about September 30, 1965, I was licensed to practice  
medicine as a physician in the State of New York having been  
issued License No. 095445 by the New York State Education  
Department.

I understand that I have been charged with one specification  
of professional misconduct as set forth in the Statement of  
Charges, annexed hereto, made a part hereof, and marked as  
Exhibit A.

I am applying to the State Board for Professional Medical  
Conduct to surrender my license as a physician in the State of  
New York and request that the Board issue this Surrender Order.

I do not contest the specification set forth in the  
Statement of Charges.

I understand that, in the event that this application is not  
granted by the State Board for Professional Medical Conduct,  
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 proposed agreement 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 State Board for Professional Medical Conduct shall be made without prejudice to the continuance of any disciplinary proceeding and the final determination by a Committee on Professional Medical Conduct pursuant to the provisions of the Public Health Law.

I agree that in the event the State Board for Professional Medical Conduct agrees with my proposal, this Order shall be issued striking my name from the roster of physicians in the State of New York without further notice to me.

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

*Ian M. Galloway*  
IAN M. GALLOWAY, M.D.  
Respondent

Subscribed before me this

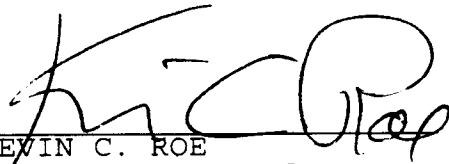
*20th* day of *June*, 1997

*Sharon Lupino*  
NOTARY PUBLIC


SHARON LUPINO  
Notary Public, N.Y. State  
County #4849051  
Commission Expires *1/27/98*

AGREED TO:

Date: 6/25, 1997

  
\_\_\_\_\_  
KEVIN C. ROE  
Associate Counsel  
Bureau of Professional  
Medical Conduct

Date: 6/27, 1997

  
\_\_\_\_\_  
ANNE F. SAILE  
Director, Office of  
Professional Medical Conduct

ORDER

Upon the proposed agreement of IAN M. GALLOWAY, M.D., to surrender his license as a physician in the State of New York, which proposed agreement is made a part hereof, it is AGREED TO and

ORDERED, that the proposed agreement and the provisions thereof are hereby adopted; it is further

ORDERED, that the name of Respondent be stricken from the roster of physicians in the State of New York; 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 via certified mail, whichever is earliest.

DATED: April 14, 1997

Patrick F. Carone, M.D.

PATRICK F. CARONE, M.D., M.P.H.  
Chair  
State Board for Professional  
Medical Conduct

# Exhibit A

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

-----X

IN THE MATTER : STATEMENT  
OF : OF  
IAN M. GALLOWAY, M.D. : CHARGES

-----X

IAN M. GALLOWAY, M.D., the Respondent, was authorized to practice medicine in New York State on September 30, 1965, by the issuance of license number 095445 by the New York State Education Department.

## FACTUAL ALLEGATIONS

A. Respondent treated Patient A (All patients are identified in the attached Appendix.) from on or about May 31, 1995, to on or about June 6, 1995, at St. Luke's Memorial Hospital Center, Utica, New York for pregnancy and delivery. Respondent's care and treatment of Patient A failed to meet acceptable standards of medical care, in that:

1. Respondent failed to obtain and/or document an adequate history.
2. Respondent failed to order and/or perform an ultrasound in a timely manner.
3. Respondent failed to order and/or perform continuous fetal monitoring.

B. Respondent treated Patient B from on or about August 28, 1995, to on or about August 30, 1995, at the St. Luke's Memorial Hospital Center, Utica, New York for pregnancy and delivery. Respondent's care and treatment of Patient failed to meet acceptable standards of medical care, in that:

1. Respondent failed to order and/or perform an ultrasound to confirm breech presentation.
2. Respondent performed a cesarean section without adequate medical justification.

#### SPECIFICATIONS

#### NEGLIGENCE ON MORE THAN ONE OCCASION

Respondent is charged with negligence on more than one occasion in violation of New York Education Law §6530 (3) (McKinney's Supp. 1997) in that, Petitioner charges:

1. The facts in paragraphs A and A.1, A.2 and/or A.3; and/or B and B.1, and/or B.2.

