

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

IN THE MATTER

OF

MARCO MUNOZ, M.D.

STATEMENT

OF

CHARGES

MARCO MUNOZ, M.D., the Respondent, was authorized to practice medicine in New York State on or about September 21, 2010, by the issuance of license number 258745 by the New York State Education Department.

FACTUAL ALLEGATIONS

A. On or about June 12, 2020, the Texas Medical Board issued a non-disciplinary Remedial Plan as a result of the Texas Medical Board finding that the Respondent failed to obtain and/or document the required forty-eight hours of continuing medical education for Respondent's license renewal period of September 1, 2016 to August 31, 2018. The Remedial Plan required the Respondent to, within one year of the entry of the Remedial Plan, pass the Medical Jurisprudence Examination with a score of 75 or above within three attempts. The Remedial Plan also required the Respondent to enroll and complete the required forty-eight hours of CME for the renewal period of September 1, 2016 to August 31, 2018, as well as four additional CME hours in the topic of Ethics, all to be completed within one year of the entry of the Remedial Plan.

B. On or about October 11, 2021, the Texas Medical Board issued an Automatic Suspension Order after finding that the Respondent had not passed the Medical Jurisprudence Examination with a score of 75 or above which was considered by the Texas Medical Board as a violation of the Remedial Plan. The Texas Medical Board concluded that the Texas Board could take disciplinary action against the Respondent

as set out in various provisions of Texas law, including for committing a direct violation of a Board Rule, specifically Board Rule 189.3, which requires compliance with all terms of a Board order. The Texas Board also concluded that Board Rule 189.9 permitted the issuance of an Order of Suspension for violation of a Board Order. The Texas Medical Board suspended Respondent's Texas license until such time that Respondent petitions to have the suspension stayed or lifted, and provides evidence that Respondent is in compliance with all terms and conditions of the Remedial Plan.

C. The conduct resulting in the Texas disciplinary action against the Respondent would constitute misconduct under the laws of New York State pursuant to the following section of New York law:

1. New York Education Law section 6530(29) (violating any term of probation or condition or limitation imposed on the licensee pursuant to section two hundred thirty of the public health law).

SPECIFICATION OF CHARGES

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[29]) as alleged in the facts of the following:

1. Paragraphs A, B, C and C.1.

DATE: October 11, 2023
Albany, New York



JEFFREY J. CONKLIN
Deputy Director
Bureau of Professional Medical Conduct