

THE STATE EDUCATION DEPARTMENT THE UNIVERSITY OF THE STATE OF NEW YORK / ALBANY, N.Y. 12230

OFFICE OF PROFESSIONAL DISCIPLINE, A.V. ZOGG BLDG. 830 FOURTH STREET, RM. 317, LIVERPOOL, NEW YORK 13088

1 1097

November 7, 1997

Alfred C. Gaymon, Physician
609 West Orange Avenue, Apt. 4E
South Orange, NJ 07079

Re: Application for Restoration

Dear Dr. Gaymon:

Enclosed please find the Commissioner's Order regarding Case No. 97-110-60R which is in reference to Calendar No. 0016069. This order and any decision contained therein goes into effect five (5) days after the date of this letter.

Very truly yours,

DANIEL J. KELLEHER
Director of Investigations

By: *Gustave Martine*
Gustave Martine
Supervisor

cc: Leonard A. Peduto, Esq.
425 Eagle Roack Avenue
Roseland, NJ 07068

The University of the State of New York
Education Department



IN THE MATTER

of the

Application of ALFRED C. GAYMON
for restoration of his license to practice
medicine in the State of New York

Case No. 97-110-60R

It appearing that the application of ALFRED C. GAYMON, 609 West Orange Avenue, Apartment 4E, South Orange, New Jersey 07079, to surrender his license to engage in the practice of medicine in the State of New York, was granted by action of the Board of Regents on April 27, 1984, and he having petitioned the Board of Regents for restoration of said license, and the Regents having given consideration to said petition, and having agreed with and accepted the recommendations of the Peer Review Panel and the Committee on the Professions, now, pursuant to action taken by the Board of Regents on September 19, 1997, it is hereby

ORDERED that the petition for restoration of License No. 128900, authorizing ALFRED C. GAYMON to practice as a physician in the State of New York, is granted.

IN WITNESS WHEREOF, I, RICHARD P. MILLS,
Commissioner of Education of the State of New York,
for and on behalf of the State Education Department,
do hereunto set my hand and affix the seal of the State
Education Department at the City of Albany, this 17th
day of October, 1997.



Richard P. Mills
Commissioner of Education

Case No. 97-110-60R

It appearing that the application of ALFRED C. GAYMON, 609 West Orange Avenue, Apartment 4E, South Orange, New Jersey 07079, to surrender his license to engage in the practice of medicine in the State of New York, having been granted by action of the Board of Regents on April 27, 1984, and he having petitioned the Board of Regents for restoration of said license, and the Regents having given consideration to said petition, and having agreed with and accepted the recommendations of the Peer Review Panel and the Committee on the Professions, now, pursuant to action taken by the Board of Regents on September 19, 1997, it was

VOTED that the petition for restoration of License No. 128900, authorizing ALFRED C. GAYMON to practice as a physician in the State of New York, be granted.

THE UNIVERSITY OF THE STATE OF NEW YORK
The State Education Department

Report of the Committee on the Professions
Application for Restoration of Medical License

Re: **Alfred C. Gaymon**

Attorney: Leonard A. Peduto, Jr.

Alfred C. Gaymon, 609 West Orange Avenue, Apartment 4E, South Orange, New Jersey 07079, petitioned for restoration of his medical license. The chronology of events is as follows:

- 10/08/76 Issued license number 128900 to practice medicine in New York State.
- 05/24/82 Convicted in the Criminal Division of the Superior Court of New Jersey, County of Bergen, of one count of conspiracy to illegally dispense controlled substances and to maintain a drug resort, twelve counts of illegal dispensing of Quaalude, three counts of illegal dispensing of Quaalude and Valium, and one count of maintaining a drug resort. (See "Disciplinary History.")
- 09/21/83 Charged with professional misconduct by the New York State Department of Health.
- 02/03/84 Applied to surrender medical license.
- 04/27/84 Board of Regents voted to grant application to surrender license.
- 05/14/84 Commissioner's Order effective.
- 11/15/93 Petition for restoration received.
- 07/26/96 Peer Review Panel restoration review.
- 11/24/96 Report and recommendation of Peer Review Panel (See "Recommendation of the Peer Review Panel.")
- 06/05/97 Report and recommendation of Committee on the Professions. (See "Recommendation of the Committee on the Professions.")

Disciplinary History. (See attached Application to Surrender License.) On May 24, 1982, Dr. Gaymon was convicted in the Criminal Division of the Superior Court of New Jersey, County of Bergen, of one count of conspiracy to illegally dispense controlled

substances and to maintain a drug resort, twelve counts of illegal dispensing of Quaalude, three counts of illegal dispensing of Quaalude and Valium, and one count of maintaining a drug resort. Upon his conviction, Dr. Gaymon was sentenced to three years probation, 180 days imprisonment to be served as a condition of probation, an \$80,000 fine and a \$400 penalty. Effective November 16, 1982, the New Jersey State Board of Medical Examiners temporarily suspended Dr. Gaymon's license. By Final Decision and Order on February 6, 1984, the New Jersey Board suspended petitioner's license for a period of five years, retroactive to November 16, 1982. The first three years of Dr. Gaymon's suspension were to be an active suspension while the remaining two years were to be a period of probation.

While the disciplinary proceedings were occurring in New Jersey, the New York State Department of Health charged Dr. Gaymon on September 21, 1983 with fifty-four specifications of professional misconduct, including practicing the profession fraudulently; practicing the profession with gross negligence; practicing the profession with gross negligence on more than one occasion; being convicted of an act constituting a crime under the laws of another jurisdiction which, if committed within this State, would have constituted a crime under New York State law; engaging in unprofessional conduct by willfully failing to comply with substantial provisions of law; and engaging in unprofessional conduct which evidences moral unfitness to practice medicine.

Dr. Gaymon applied to the Board of Regents on February 3, 1984 to surrender his license based on his admission of guilt to the thirty-sixth through fifty-second specification of professional misconduct in that he was convicted of an act constituting a crime under the law of another jurisdiction which, if committed within this state, would have constituted a crime under New York State law. On April 27, 1984, the Board of Regents voted to grant Dr. Gaymon's application to surrender his license and the Commissioner's Order became effective May 14, 1984.

On January 7, 1988, Dr. Gaymon's license was fully reinstated with no limitations by the New Jersey Board of Medical Examiners. Dr. Gaymon submitted a petition for restoration of his license to practice medicine in New York State on November 13, 1993.

Recommendation of the Peer Panel Review Panel. (See attached report of the Peer Review Panel.) The Peer Review Panel (Colgan, Cordice, Cournos) convened on July 26, 1996. In its report dated November 24, 1996, the Panel recommended full restoration of Dr. Gaymon's medical license without restrictions.

Recommendation of the Committee on the Professions. On June 5, 1997, the Committee on the Professions (Ahearn, Muñoz,

Porter) met with Dr. Alfred C. Gaymon to consider his petition for restoration of his New York State medical license. Dr. Gaymon was accompanied by his attorney, Mr. Leonard A. Peduto, Jr.

The Committee asked Dr. Gaymon to describe the events that led to the surrender of his license to practice medicine in New York State. He replied that just as he was finishing his residency at age 32 or 33 he replied to an advertisement in the New York Times for a position at the Fort Lee Stress Relief Center in New Jersey. He indicated that the Center was very elegant and had all new equipment. Dr. Gaymon stated that the Director held himself out as the son of a famous anesthesiologist and claimed research indicated one drug was found to be best in treating stress. For six months he said that he dispensed methaqualone and diazepam to patients who he later found out were drug addicts. Dr. Gaymon reported that he lost his license in New Jersey based on a court conviction in that state involving the dispensing of those drugs.

Dr. Gaymon described to the Committee how he grew up in a very poor neighborhood but got the opportunity to attend college and Yale Medical School. He said that he had seen many drug addicts in the housing projects but didn't realize at that time that there was such a thing as recreational drug use. Dr. Gaymon stated that he felt something was wrong because when he attempted to wean people off the drug he noticed similarities to his experiences when trying to get people off heroin in Harlem. Dr. Gaymon indicated that he discussed with some friends what he was doing at the Center and they advised him to look more carefully at his situation. He said that he looked up the drug Quaalude in his 1973 or 1974 pharmacy textbook and didn't see any reference to possible abuse of the drug. At about the same time, he reported that he saw an article about Quaalude abuse by college students in Ohio. Dr. Gaymon said that about that time a state investigator came in and said he was going to shut down the Center and Dr. Gaymon should see a lawyer.

Dr. Gaymon told the Committee that there were many circumstances that contributed to his behavior at that time. He said that he was young, inexperienced, and still in training. He indicated that his employment at the Center was the first time that he was ever working in a private facility, that he had no real peers with whom he could confer, and that he was really on his own. Dr. Gaymon stated that he found himself in a circumstance in which it became increasingly clear that he had made a terrible mistake. He said that since that time he has demonstrated by his conduct that the difficulty which led to the loss of his license may be fairly viewed as an aberration. He indicated that the actions that led to the loss of his license are not consistent with his real character. Dr. Gaymon told the Committee that he wanted to move on with his life, did what was asked of him by the authorities in New Jersey, and wanted to avail himself of opportunities that may be available to him in New York.

Dr. Gaymon described his activities in New Jersey which resulted in the restoration of his license to practice medicine in that State in 1988. He said that he completed his fellowship program in gastroenterology at the University of Medicine and Dentistry of New Jersey and became board certified in that specialty. He indicated that he worked part-time for the Newark Board of Health and for the Newark Board of Education in addition to being employed full-time at the United Hospitals Medical Center in Newark in the Department of Medicine/Gastroenterology. Dr. Gaymon said that he is on the staff of three nursing homes and has a small private practice. He reported his various professional affiliations.

Dr. Gaymon told the Committee that he now realizes that it is sometimes easier to get to a place than to remain there. He said that he's had to look carefully at where he's made mistakes in judgment and thinking and continues the process of introspection. He indicated that he has searched himself for flaws in his character, reached useful conclusions in the course of that analysis, and believes that his subsequent conduct reflects a more mature understanding of himself.

The Committee concurs with the observation of the Peer Review Panel that Dr. Gaymon is clearly remorseful for his past actions, is unlikely to repeat his past conduct, and has an understanding of the factors that caused his problems and the consequences of that behavior. The Committee notes that New Jersey, the state in which the misconduct occurred, gave him back his license, and he has been practicing in that State since 1988 without incident. Additionally, Dr. Gaymon continues to grow professionally and has engaged in numerous volunteer and community oriented activities. The Committee believes that his criminal actions were an aberration from what has otherwise been a productive and unblemished career. Therefore, after a complete review of the record, including Dr. Gaymon's personal interview with the Committee on the Professions, the Committee voted unanimously to concur in the recommendation of the Peer Review Panel that Dr. Gaymon's license to practice medicine in the State of New York be restored.

Kathy A. Ahearn, Chair

Frank Muñoz

Joseph B. Porter



THE BICENTENNIAL OF THE BOARD OF REGENTS AND THE UNIVERSITY OF THE STATE OF NEW YORK

THE NEW YORK STATE EDUCATION DEPARTMENT
622 THIRD AVENUE
NEW YORK CITY, NEW YORK 10017

OFFICE OF PROFESSIONAL DISCIPLINE
(212) 557-2100

May 9, 1984

ALFRED C. GAYMON, PHYSICIAN
16 Woodland Avenue
Glen Ridge, N.J. 07028

RE: License No. 128900

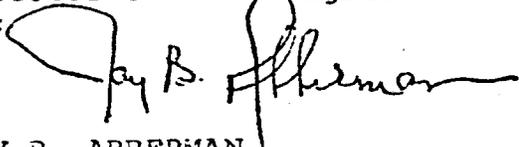
Dear Dr. Gaymon:

Enclosed, please find Commissioner's Order No. 3512.
Service is effective five days after the date of this Letter.

If the Order specifies surrender, revocation or suspension
of your license, you must deliver your license and registration
to this Department within five days after the effective date
of service of the Order.

Very truly yours,

DANIEL J. KELLEHER
Director of Investigations
By:


JAY B. ABBERMAN
Senior Investigator

DJK:ja
Enclosures

Certified Mail, RRR

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

In the Matter of
ALFRED C. GAYMON, M.D.

X
:
:
:
:
X

APPLICATION
TO
SURRENDER
LICENSE

STATE OF NEW JERSEY)
COUNTY OF PASSAIC) ss.:

ALFRED C. GAYMON, M.D., being duly sworn, deposes and
says:

That on or about October 9, 1976 I was licensed to
practice as a physician in the State of New York having been
issued license No. 128900 by the New York State Education
Department.

I am not currently registered with the New York State
Education Department to practice medicine in the State of New
York. I am not practicing medicine in New York State, and do
not intend to practice medicine in New York State between now
and the time a final determination is made on this application
to surrender my license.

That I understand that I have been charged with Fifty-
Four specifications of professional misconduct as set forth in
the exhibit annexed hereto, made a part hereof, and marked as
exhibit "A".

I am applying to the Board of Regents for permission
to surrender my license as a physician in the State of New York

ALFRED C. GAYMON, M.D.

on the ground that I admit guilt to the professional misconduct charged in the Thirty-Sixth through Fifty-Second Specifications in full satisfaction of all the charges.

This admission and application are made on the understanding that if:

(1) they are accepted by the State Board for Professional Medical Conduct, the Office of Professional Medical Conduct, the Department of Health of the State of New York, and the Board of Regents of the State of New York; and

(2) subsequently, the criminal convictions referred to in the Thirty-Sixth through the Fifty-Second Specifications are reversed by a final determination of the court(s) of the State of New Jersey or any other Court of competent jurisdiction; and

(3) as a result of their reversal, and upon my application for reconsideration, the Board of Regents grants said application and returns to me my license to practice as a physician in the State of New York,

the original acceptance and granting of this application to surrender my license shall be without prejudice to the State Board for Professional Medical Conduct, the Office of Professional Medical Conduct, the Department of Health, and the Board of Regents, and they may proceed against my license on the basis of the allegations set forth in the Specifications to which I do not admit guilt herein.

ALFRED C. GAYSON, M.D.

I hereby make this application to the Board of Regents and request that it be granted.

I understand that, in the event the application is not granted by the Board of Regents, 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 application 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 Board of Regents shall be made without prejudice to the continuance of any disciplinary proceeding and the final determination by the Board of Regents pursuant to the provisions of the Education Law.

I agree that, in the event the Board of Regents grants my application, an order of the Commissioner of Education may be issued striking my name from the roster of physicians in the State of New York without further notice to me.

I further agree that the order of the Commissioner shall include a provision that I may not apply for the restoration of my license until at least one (1) year has elapsed from the effective date of the service of such order. I understand that such application is not automatically granted but may be granted or denied.

ALFRED C. GAYMON, M.D.

No promises of any kind were made to me. I am making this application of my own free will and accord and not under duress, compulsion of restraint or any kind or manner.


ALFRED C. GAYMON, M.D.
Respondent

Sworn to before me this

3rd day of February


NOTARY PUBLIC

AUDREY D DONALDSON
A Notary Public of New Jersey
My Commission expires Feb. 2, 1956

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

In the Matter of
ALFRED C. GAYMON, M.D.

X
: APPLICATION
: TO
: SURRENDER
: LICENSE
:
:
X

The undersigned agree to the application in this matter.

Date: Feb 5 1984

Alfred C. Gaymon
ALFRED C. GAYMON, M.D.
Respondent

Date: February 3, 1984

Leonard A. Peduto Jr.
LEONARD PEDUTO, ESQ.
Attorney for the Respondent

Date: March 23 1984

Robert M. ...
MEMBER, STATE BOARD FOR
PROFESSIONAL MEDICAL CONDUCT

Date: March 16, 1984

Kathleen M. Tanner
KATHLEEN M. TANNER, Director
Office of Professional
Medical Conduct

Date: March 16, 1984

David Axelrod
DAVID AXELROD, M.D.
Commissioner of Health

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

IN THE MATTER : STATEMENT
OF : OF
ALFRED C. GAYMON, M.D. : CHARGES

The State Board for Professional Medical Conduct charges as follows:

1. Alfred C. Gaymon, M.D., Respondent, was authorized to engage in the practice of medicine in the State of New York in the year 1976 by the issuance of license number 128900 by the State Education Department.
2. Respondent is not currently registered with the New York State Education Department to practice medicine.
3. Respondent is charged with professional misconduct within the meaning of N.Y. Educ. Law §§6509 and/or 6509-a (McKinney Supp. 1982), as set forth in the Specifications which follow:

FIRST THROUGH SEVENTEENTH SPECIFICATION

4. Respondent is charged with professional misconduct within the meaning of N.Y. Educ. Law §6509(2) (McKinney Supp. 1982), in that he practiced the profession fraudulently, specifically:

- (i) Between on or about January 1, 1980 and on or about December 11, 1980, Respondent conspired and agreed with others to knowingly engage in conduct constituting the crimes of

distributing and dispensing Quaalude and Valium not in good faith and not in the course of regular professional practice and of maintaining a drug resort.

(ii) - (xvi) On the indicated dates Respondent knowingly and intentionally distributed and dispensed the indicated controlled substances to the indicated persons not in good faith and not in the course of regular professional practice:

	Date(s)*	Person	Controlled Substance(s)
(a)	3/27/80 - 5/ 1/80	[REDACTED]	Quaalude
(b)	4/ 1/80 - 11/17/80	[REDACTED]	Quaalude
(c)	4/ 5/80 - 11/ 5/80	[REDACTED]	Quaalude
(d)	4/10/80 - 5/ 9/80	[REDACTED]	Quaalude
(e)	4/10/80 - 11/ 7/80	[REDACTED]	Quaalude
(f)	4/10/80 - 11/ 6/80	[REDACTED]	Quaalude
(g)	5/ 1/80 - 7/30/80	[REDACTED]	Quaalude
(h)	5/ 1/80 - 9/25/80	[REDACTED]	Quaalude
(i)	5/ 2/80 - 11/14/80	[REDACTED]	Quaalude
(j)	5/ 2/80 - 11/ 7/80	[REDACTED]	Quaalude
(k)	5/16/80 - 6/13/80	[REDACTED]	Quaalude and Valium
(l)	5/28/80	[REDACTED]	Quaalude
(m)	5/28/80 - 6/27/80	[REDACTED]	Quaalude and Valium
(n)	5/28/80 - 9/17/80	[REDACTED]	Quaalude and Valium
(o)	6/ 6/80 - 7/16/80	[REDACTED]	Quaalude

(xvii) Between on or about March 25, 1980 and on or about December 11, 1980, Respondent knowingly and intentionally kept and maintained premises known as the Fort Lee Stress Relief Center at 2175 Lemoine Avenue, at the Borough of Fort Lee, in the County of Bergen, in the State of New Jersey, which premises were resorted to by persons using controlled substances for the purpose of using controlled substances, in violation of New Jersey law.

*When a range of dates is indicated, it is charged that the acts alleged occurred between on or about the first date and on or about the second date.

EIGHTEENTH THROUGH THIRTY-FOURTH SPECIFICATION

5. Respondent is charged with professional misconduct within the meaning of N.Y. Educ. Law §6509(2) (McKinney Supp. 1982) in that he practiced the profession with gross negligence, specifically:

Petitioner repeats each allegation made in connection with the First through Seventeenth Specification, paragraph 4 of this Statement of Charges.

THIRTY-FIFTH SPECIFICATION

6. Respondent is charged with professional misconduct within the meaning of N.Y. Educ. Law §6509(2) (McKinney Supp. 1982) in that he practiced the profession with negligence on more than one occasion, specifically:

Petitioner repeats each allegation made in connection with the First through Seventeenth Specification, paragraph 4 of this Statement of Charges.

THIRTY-SIXTH THROUGH FIFTY-SECOND SPECIFICATION

7. Respondent is charged with professional misconduct within the meaning of N.Y. Educ. Law §6509(5)(a)(iii) (McKinney Supp. 1982) in that he was convicted of an act constituting a crime under the law of another jurisdiction which, if committed within this state, would have constituted a crime under New York State law, specifically:

On or about May 24, 1982, in the Criminal Division of the Superior Court of New Jersey, County of Bergen, after a trial by jury, Respondent was convicted of:

- (i) one count of conspiracy to illegally dispense controlled substances and to maintain a drug resort;
- (ii) twelve counts of illegal dispensing of Quaalude;
- (iii) three counts of illegal dispensing of Quaalude and Valium; and
- (iv) one count of maintaining a drug resort.

Upon his conviction Respondent was sentenced to three years probation, 180 days imprisonment to be served as a condition of probation, an \$80,000 fine and a \$400 penalty.

FIFTY-THIRD SPECIFICATION

8. Respondent is charged with professional misconduct within the meaning of N.Y. Educ. Law §6509(9) (McKinney Supp. 1982) in that he engaged in unprofessional conduct within the meaning of 8 N.Y.C.R.R. 29.1(b)(1)(1981) by wilfully failing to comply with substantial provisions of law, specifically:

Petitioner repeats each allegation made in connection with the First through Fifty-Second Specification, paragraphs 4-7 of this Statement of Charges.

FIFTY-FOURTH SPECIFICATION

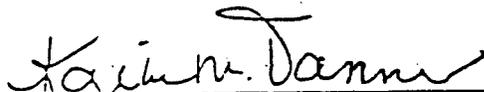
9. Respondent is charged with professional misconduct within the meaning of N.Y. Educ. Law §6509(9) (McKinney Supp. 1982) in that he engaged in unprofessional conduct within the meaning

of 8 N.Y.C.R.R. 29.1(b)(5) (1981) by engaging in conduct in the practice of medicine which evidences moral unfitness to practice medicine, specifically:

Petitioner repeats each allegation made in connection with the First through Fifty-Third Specification, paragraphs 4 - 8 of this Statement of Charges.

Dated: Albany, New York

Sept. 21, 1983



KATHLEEN M. TANNER

Director

Office of Professional
Medical Conduct

Approved April 27, 1984

No. 3512

Upon the application of ALFRED C. GAYMON, M.D. under Calendar No. 3512, and in accordance with the provisions of Title VIII of the Education Law, it was

Voted: That the application of ALFRED C. GAYMON, M.D. respondent, for permission to surrender his license to practice as a physician in the State of New York be granted and his registration to practice as such be cancelled; that respondent may not apply for the restoration of said license until at least one (1) year has elapsed from the effective date of the service of the order of the Commissioner of Education to be issued in this matter; and that the Commissioner of Education be empowered to execute, for and on behalf of the Board of Regents, all orders necessary to carry out the terms of this vote.



The University of the State of New York

IN THE MATTER

OF

ALFRED C. GAYMON, M.D.

ORIGINAL ORDER
NO. 3512

Upon the application of ALFRED C. GAYMON, M.D., under Calendar No. 3512, and the vote of the Board of Regents on April 27, 1984, which application and vote are incorporated heréin and made a part hereof, it is

ORDERED that the application of ALFRED C. GAYMON, M.D. respondent, for permission to surrender his license to practice as a physician in the State of New York be granted and his registration to practice as such be cancelled; and that respondent may not apply for the restoration of said license until at least one (1) year has elapsed from the effective date of the service of the order.

IN WITNESS WHEREOF, I, Gordon M. Ambach,
Commissioner of Education of the State
of New York, for and on behalf of the
State Education Department and the Board
of Regents, do hereunto set my hand and
affix the seal of the State Education
Department, at the City of Albany, this
4th day of May, 1984.



Commissioner of Education