



**New York State Board for Professional Medical Conduct**

Corning Tower • Empire State Plaza • Albany, NY 12237 • (518) 474-8357

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

Charles J. Vacanti, M.D.  
Chair

September 26, 1996

**CERTIFIED MAIL-RETURN RECEIPT REQUESTED**

Stephen Germond, III, M.D.  
2 Fernwood Court  
Clifton, New Jersey 07011

RE: License No. 148204

Dear Dr. Germond:

Effective Date: 10/03/96

Enclosed please find Order #BPMC 96-225 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  
Empire State Plaza  
Tower Building-Room 438  
Albany, New York 12237-0756

Sincerely,

Charles Vacanti, M.D.  
Chair  
Board for Professional Medical Conduct

Enclosure

cc: Edwin Rubin, Esq.  
Starr, Gern, Davison & Rubin  
103 Eisenhower Parkway  
Roseland, New Jersey 07068-1050

Frederick Zimmer, Esq.

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

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IN THE MATTER :  
OF : ORDER  
STEPHEN D. GERMOND, III, M.D. : BPMC #96-225

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Upon the Application of STEPHEN D. GERMOND, III, M.D., to Surrender his license as a physician in the State of New York, which application is made a part hereof, it is

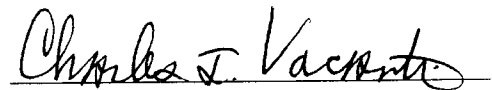
ORDERED, that the Application and the provisions thereof are hereby adopted; it is further

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.

SO ORDERED,

DATED: 23 September 1996



CHARLES J. VACANTI, M.D.  
Chairperson  
State Board for Professional  
Medical Conduct

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

-----X

IN THE MATTER : APPLICATION TO  
OF : SURRENDER  
STEPHEN D. GERMOND, III, M.D., : LICENSE  
Respondent

-----X

STATE OF NEW JERSEY )

ss.:

COUNTY OF PASSAIC )

STEPHEN D. GERMOND, III, M.D., being duly sworn, deposes and says:

On or about October 30, 1981, I was licensed to practice medicine as a physician in the State of New York having been issued License No. 148204 by the New York State Education Department.

I am currently registered with the New York State Education Department to practice as a physician in the State of New York for the period of March 1, 1996 through February 28, 1998.

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 for permission to surrender my license as a physician in the State of New York on the grounds that I do not contest the allegations set forth in the Statement of Charges (EXHIBIT A).

I hereby make this application to the State Board for Professional Medical Conduct and request that it be granted.

I understand that, in the event that the 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 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 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 grants my application, an 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 Application of my own free will and accord and not under duress, compulsion, or restraint of any kind or manner.



STEPHEN D. GERMOND, III, M.D.  
Respondent

Sworn to before me this  
12<sup>th</sup> day of *September* 1996

  
\_\_\_\_\_  
NOTARY PUBLIC

**JOYCE GLANNA**  
A Notary Public of New Jersey  
My Commission Expires March 14, 2001

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

-----X

IN THE MATTER : APPLICATION TO  
OF : SURRENDER  
STEPHEN D. GERMOND, III, M.D. : LICENSE  
Respondent


-----X

The undersigned agree to the attached application of the Respondent to surrender his license.

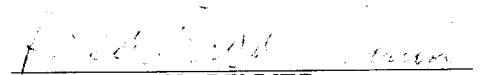
Date: 9/12, 1996

  
STEPHEN D. GERMOND, III, M.D.  
Respondent

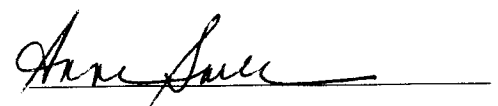
Date: 9/12, 1996

  
EDWIN S. RUBIN, Esq.  
Attorney for Respondent

Date: September 12, 1996

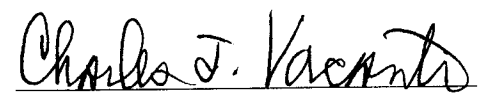
  
FREDERICK ZIMMER  
Assistant Counsel  
Bureau of Professional  
Medical Conduct

Date: Sept 19, 1996



ANNE F. SAILE  
Acting Director, Office  
of Professional Medical Conduct

Date: 23 September 1996



CHARLES J. VACANTI, M.D.  
Chairperson, State Board  
for Professional Medical Conduct

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

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IN THE MATTER : STATEMENT  
OF : OF  
STEPHEN D. GERMOND, III, M.D., : CHARGES  
Respondent :

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STEPHEN D. GERMOND, III, M.D., the Respondent, was authorized to practice medicine in New York State on October 30, 1981 by the issuance of license number 148204 by the New York State Education Department.

FACTUAL ALLEGATIONS

A. Respondent, by a Consent Order entered into with the New Jersey State Board of Medical Examiners (the "New Jersey Board") and filed on October 12, 1994, was granted leave and required to immediately surrender his license to practice medicine and surgery in the State of New Jersey for a minimum period of six months from the entry date of the Order. Prior to any restoration of his license, Respondent was required to, among other things, provide the New Jersey Board with evidence that he was capable of discharging the functions of a licensee in a manner consistent with the public's health and safety and welfare, that he was not suffering from any impairment or limitation resulting from the use of alcohol or controlled dangerous substances which could effect his practice, provide the Board with evidence that he has not been a habitual user of



intoxicants, in violation of N.J.S.A. 45.9-16(b), provide the Board with reports from each and every mental health professional who participated in his care and or treatment for his disability and affirmatively establish his fitness, competence and capacity to reenter the active practice of medicine and surgery within the State of New Jersey.

B. The conduct resulting in the above Consent Order included the following:

1. Respondent's prior two year suspension by the New Jersey Board (six weeks of active suspension with the remainder stayed), based on a substance abuse problem. (Respondent's prior substance abuse problem is more fully described in the final order of the New Jersey Board filed on November 21, 1983).
2. Respondent in 1991, briefly relapsed into the use of controlled substances through the use of prescriptions written in the names of patients and friends who would return the medications to him. Respondent subsequently underwent a 28 day inpatient program for the treatment of substance abuse.
3. Respondent, on August 30, 1994, resigned his privileges at Raritan Bay Medical Center based on another relapse into chemical dependency. This resignation occurred simultaneously with reports to Raritan Bay Medical Center by another employee that Respondent was having patients and friends take prescriptions to local pharmacies and return the medications to him for his personal use. Respondent entered a long term treatment program where he was required to remain for a minimum of three months.

C. By an Interim Consent Order Restoring Licensure, filed on September 28, 1995, Respondent's license to practice medicine and surgery in the State of New Jersey was restored

pursuant to the conditions listed below. Respondent was required, among other things, to undergo witnessed random urine monitoring twice weekly for one year. Assuming all testing proved negative, Respondent would continue testing once weekly for the ensuing six months and then every two weeks until the end of the second year. Respondent was required not to consume or self administer any prescription without a valid prescription from another physician and to remain totally abstinent from all mood altering substances unless provided pursuant to a lawful prescription. Respondent was also required to attend and document participation in alcoholics anonymous for a minimum of four meetings weekly. Respondent was directed not to possess or utilize a personal prescription pad, and to keep a log of all CDS prescriptions written by him within the confines of his employment as an emergency room physician on a daily basis.


D. The conduct underlying the New Jersey Board's action against Respondent would, if committed in New York State, constitute professional misconduct under the laws of New York State pursuant to N.Y. Educ. Law §6530(7) (McKinney Supp. 1996) [practicing the profession while impaired by alcohol or drugs ...] and or N.Y. Educ. Law §6530 (8) (McKinney Supp. 1996) [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...].

SPECIFICATIONFIRST SPECIFICATION

Respondent is charged with professional misconduct within the meaning of N.Y. Educ. Law §6530(9)(d) (McKinney Supp. 1996) by reason of his having had disciplinary action taken against him by the duly authorized professional disciplinary agency of another state where the conduct resulting in the disciplinary action would constitute professional misconduct under the laws of N.Y. State, in that the Petitioner charges:

1. The facts in Paragraphs A and B and B.1, B.2, B.3, C and/or D.

DATED: *May 15*, 1996  
Albany, New York

  
PETER D. VAN BUREN  
Deputy Counsel  
Bureau of Professional  
Medical Conduct