

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

ASSISTANT COMMISSIONER, OFFICE OF THE PROFESSIONS
OFFICE OF PROFESSIONAL DISCIPLINE, 622 THIRD AVENUE, NEW YORK, NEW YORK 10017

June 24, 1988

Aziz Solomon Gourji, Physician
81A Somerset Drive South
University Garden
Great Neck, NY 11020

Re: License No. 100692

Dear Dr. Gourji:

Enclosed please find Commissioner's Order No. 7959. This Order and any penalty contained therein goes into effect five (5) days after the date of this letter.

If the penalty imposed by the Order is a surrender, revocation or suspension of your license, you must deliver your license and registration to this Department within ten (10) days after the date of this letter. In such a case your penalty goes into effect five (5) days after the date of this letter even if you fail to meet the time requirement of delivering your license and registration to this Department.

Very truly yours,

DANIEL J. KELLEHER
Director of Investigations
By:

Maira A. Doran
MOIRA A. DORAN
Supervisor

DJK/MAD/sn
Enclosures

CERTIFIED MAIL - RRR

cc: Angelo T. Cometa, Esq.
Sheila G. Riesel, Esq.
Phillips, Nizer, Benjamin,
Krim & Ballon
40 West 57th Street
New York, NY 10019

RECEIVED

JUL 18 1988

OFFICE OF PROFESSIONAL
MEDICAL CONDUCT

Approved May 20, 1988

No. 7959

Upon the report of the Regents Review Committee, the record herein, under Calendar No. 7959, and in accordance with the provisions of Title VIII of the Education Law, it was

Voted: That the report, findings of fact, determination as to guilt, and recommendation as to the penalty to be imposed rendered by the Regents Review Committee in the matter of AZIZ SOLOMON GOURJI, respondent, be accepted; that respondent is guilty of the charge by a preponderance of the evidence; that respondent's license and registration to practice as a physician in the State of New York be revoked upon the charge of which respondent has been found guilty; that respondent may, pursuant to Rule 24.7(b) of the Rules of the Board of Regents, apply for restoration of said license after one year has elapsed from the effective date of the service of the order of the Commissioner of Education to be issued herein, but said application shall not be granted automatically; 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

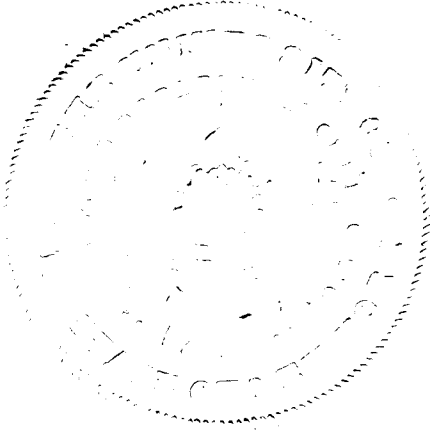
AZIZ SOLOMON GOURJI
(Physician)

DUPLICATE
ORIGINAL ORDER
NO. 7959

Upon the report of the Regents Review Committee, under Calendar No. 7959, the record herein, the vote of the Board of Regents on May 20, 1988, and in accordance with the provisions of Title VIII of the Education Law, which report and vote are incorporated herein and made a part hereof, it is

ORDERED that the report, findings of fact, determination as to guilt, and recommendation as to the penalty to be imposed rendered by the Regents Review Committee in the matter of AZIZ SOLOMON GOURJI, respondent, be accepted; that respondent is guilty of the charge by a preponderance of the evidence; that respondent's license and registration to practice as a physician in the State of New York be revoked upon the charge of which respondent has been found guilty; and that respondent may, pursuant to Rule 24.7(b) of the Rules of the Board of Regents, apply for restoration of said license after one year has elapsed from the effective date of the service of this order, but said application shall not be granted automatically.

AZIZ SOLOMON GOURJI (7959)



IN WITNESS WHEREOF, I, Thomas Sobol,
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
26th day of May, 1988.

Thomas Sobol

Commissioner of Education

**ORDER OF THE COMMISSIONER OF
EDUCATION OF THE STATE OF NEW YORK**

AZIZ SOLOMON GOURJI

CALENDAR NO. 7959



The University of the State of New York

IN THE MATTER

of the

Disciplinary Proceeding

against

AZIZ SOLOMON GOURJI

No. 7959

who is currently licensed to practice as
a physician in the State of New York.

Report of the Regents Review Committee

AZIZ SOLOMON GOURJI, hereinafter referred to as respondent, was given due notice of this proceeding and informed that he could appear and be represented by an attorney.

On December 1, 1987 respondent did appear and was represented by his attorneys, Angelo T. Cometa, Esq. and Sheila G. Riesel, Esq. Shelley G. Schwartz, Esq., represented the Office of Professional Medical Conduct of the New York State Department of Health.

We have carefully reviewed and considered the entire record in this matter, including the letter submitted subsequent to our meeting by counsel for the respondent to this Committee, dated December 1, 1987 and the reply letter from petitioner dated December 7, 1987, both of which we deem part of the record and

AZIZ SOLOMON GOURJI (7959)

receive in evidence respectively as respondent's exhibit "C" and petitioner's exhibit "8".

We also note that, in her oral argument before us, counsel for the petitioner makes reference to the separate discipline matter of Jamil H. Abraham. However, subsequent to our meeting, the determination against Dr. Abraham was completely annulled by decision of the Supreme Court, Appellate Division, Third Department. As a result, this Committee disregards, for all purposes, the reference to Dr. Abraham's disciplinary case. However, it is pointed out that Dr. Abraham's letter of November 13, 1987 in support of respondent is not disregarded and was considered by us.

We render the following findings of fact, determination as to guilt, and recommendation as to the penalty to be imposed.

FINDINGS OF FACT

1. We unanimously find that respondent was licensed to practice as a physician in the State of New York by the New York State Education Department.
2. We unanimously find that respondent was convicted of committing an act constituting a crime, as set forth in the statement of charges annexed hereto, made a part hereof, and marked as Exhibit "A", as well as in the record herein.

AZIZ SOLOMON GOURJI (7959)

DETERMINATION AS TO GUILT

We unanimously determine that the charge has been proven by a preponderance of the evidence and that respondent is guilty of the same.

RECOMMENDATION AS TO THE
PENALTY TO BE IMPOSED

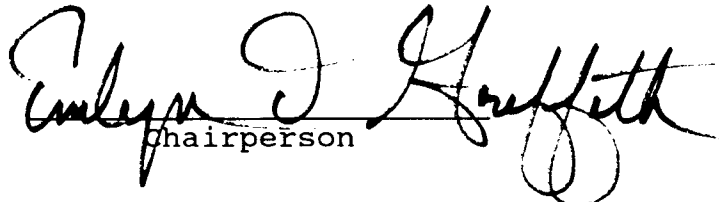
We unanimously recommend to the Board of Regents that respondent's license to practice as a physician in the State of New York be revoked upon the charge of which respondent has been found guilty. Respondent may, pursuant to Rule 24.7(b) of the Rules of the Board of Regents, apply for restoration of said license after one year has elapsed from the effective date of the service of the order of the Commissioner of Education to be issued herein; but said application shall not be granted automatically.

Respectfully submitted,

EMLYN I. GRIFFITH

JANE M. BOLIN

PATRICK J. PICARIELLO


Chairperson

Dated: 1/30/85

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

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: IN THE MATTER : STATEMENT
: OF : OF
: AZIZ SOLOMON GOURJI, M.D. : CHARGES
: :
-----X

The Office of Professional Medical Conduct alleges as follows:

1. AZIZ SOLOMON GOURJI, M.D., herein called the Respondent, was authorized to engage in the practice of medicine in the State of New York on February 2, 1968 by the issuance of license number 100692 by the State Education Department.
2. Respondent is currently registered with the New York State Education Department to practice medicine for the period January 1, 1986 through December 31, 1988 from 81A Somerset Drive So., University Gardens, Great Neck, New York 11020.
3. Respondent is charged with professional misconduct within the meaning of N.Y. Educ. Law §6509 and §6509-a (McKinney 1985), as set forth in the specification attached.

SPECIFICATION

4. Respondent is charged with professional misconduct within the meaning of N.Y. Educ. Law §6509(5)(a)(ii) (McKinney 1985) in that he has been convicted of committing an act constituting a crime under Federal law, specifically:

On or about August 9, 1985, the Respondent was convicted after trial in the United States District Court for the Southern District of New York of one (1) count of unlawfully, intentionally and knowingly causing to be distributed and dispensed, outside the scope of professional medical practice, approximately 48, 224 dosage units of Quaalude (Methaqualone) a Schedule II (later a Schedule I) controlled drug substance, in violation of Title 21, USC § 812, 841(a)(1), and 841(b)(1)(B), and Title 18, USC § 2.

Respondent was sentenced on September 1, 1987 to two years in jail commencing January 4, 1988 and fined \$10,000.

DATED: Albany, New York
Sept. 21, 1987

Kathleen M. Tanner
KATHLEEN M. TANNER
Director
Office of Professional
Medical Conduct (10)

**REPORT OF THE
REGENTS REVIEW COMMITTEE**

AZIZ SOLOMON GOURJI

CALENDAR NO. 7959