



**Board for Professional Medical Conduct**

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

Mark R. Chassin, M.D., M.P.P., M.P.H.  
Commissioner

C. Maynard Guest, M.D.  
Executive Secretary

September 26, 1994

**CERTIFIED MAIL-RETURN RECEIPT REQUESTED**

Monroe Harris, D.O.  
165-15 71st Avenue  
Flushing, New York 11365

RE: License No. 091907  
Effective Date: 10/3/94

Dear Dr. Harris:

Enclosed please find Order #BPMC 94-199 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.

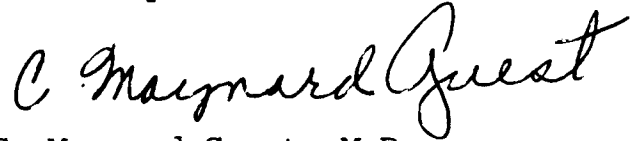
If the penalty imposed by the Order is a surrender, revocation or suspension of this license, you are required to deliver to the Board the license and registration within five (5) days of receipt of the Order.

Board for Professional Medical Conduct  
New York State Department of Health  
Empire State Plaza  
Tower Building-Room 438  
Albany, New York 12237-0756

If the penalty imposed by the Order is a fine, please write the check payable to the New York State Department of Health. Noting the BPMC Order number on your remittance will assist in proper crediting. Payments should be directed to the following address:

Bureau of Accounts Management  
New York State Department of Health  
Empire State Plaza  
Tower Building-Room 1245  
Albany, New York 12237

Sincerely,

A handwritten signature in cursive script that reads "C. Maynard Guest". The signature is written in black ink and is positioned above the typed name and title.

C. Maynard Guest, M.D.  
Executive Secretary  
Board for Professional Medical Conduct

Enclosure

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

-----X

IN THE MATTER :  
OF : ORDER  
MONROW HARRIS, D.O. : BPMC #94-199

-----X

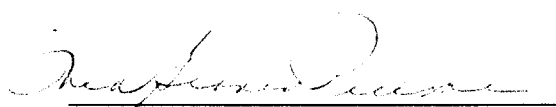
Upon the application of MONROE HARRIS, D.O.  
("Respondent") for Consent Order, which application is made a  
part hereof, it is

ORDERED, that the application and the provisions  
thereof are hereby adopted and so ORDERED, and 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 by certified mail, whichever is  
earliest.

SO ORDERED,

DATED: Sept 21, 1994

  
\_\_\_\_\_  
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  
OF : FOR  
MONROE HARRIS, D.O. : CONSENT  
: ORDER  
-----X

STATE OF NEW YORK )  
  ss.:  
COUNTY OF NEW YORK )

MONROE HARRIS, D.O., being duly sworn, deposes and says:

That on or about I was licensed to practice as a physician in the State of New York, having been issued License No. 091907 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 January 1, 1993 through December 31, 1994, from 165-15 71st Avenue, Flushing, New York 11365.

I understand that the New York State Board of Professional Medical Conduct has charged me with one Specifications of professional misconduct.

A copy of the Statement of Charges is annexed hereto, made a part hereof, and marked as Exhibit "A".

I admit guilt to the Fifth Specification in full satisfaction of the charges against me.

I hereby agree to the penalty of a two year suspension of my medical license, such suspension to be stayed and that I shall be subject to a two year period of probation, the terms of which are set forth in Exhibit B, and payment of a \$2,000.00 (two thousand dollar) fine.

I hereby make this Application to the State Board for Professional Medical Conduct (hereinafter "the Board") and request that it be granted.

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

I agree that, in the event the Board grants my Application, as set forth herein, an order of the Chairperson of the Board shall be issued in accordance with same.

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

Monroe Harris

MONROE HARRIS, D.O.  
RESPONDENT

Sworn to before me this  
day of Sept 1, 1994.

Susan P. Metta  
NOTARY PUBLIC

County of Suffolk

OIME 5030599

Exp. 07/18/96

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

-----X  
IN THE MATTER : APPLICATION  
OF : FOR  
MONROE HARRIS, D.O. : CONSENT  
: ORDER  
-----X

The undersigned agree to the attached application of the Respondent and to the proposed penalty based on the terms and conditions thereof.

Date: 9/1/94 Monroe Harris  
MONROE HARRIS, D.O.  
RESPONDENT

Date: 9/7/94 Stanley Segal  
STANLEY SEGAL, ESQUIRE  
ATTORNEY FOR RESPONDENT

Date: 9/12/94 Stacey Barrie Mondschein  
STACEY BARRIE MONDSCHIEIN  
ASSISTANT COUNSEL  
BUREAU OF PROFESSIONAL  
MEDICAL CONDUCT

Date: September 15, 1994

Anne Sullivan  
for

KATHLEEN M. TANNER  
DIRECTOR  
OFFICE OF PROFESSIONAL  
MEDICAL CONDUCT

Date: Sept 21, 1994

Charles J. Vacanti

CHARLES J. VACANTI, M.D.  
CHAIRPERSON  
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  
MONROE HARRIS, D.O. : CHARGES  
-----X

MONROE HARRIS, D.O., the Respondent, was authorized to practice medicine in New York State on February 15, 1964 by the issuance of license number 091907 by the New York State Education Department. The Respondent is currently registered with the New York State Education Department to practice medicine for the period January 1, 1993 through December 31, 1994 at 165-15 71st Avenue, Flushing, New York 11365.

**FACTUAL ALLEGATIONS**

A. With respect to Patient A (all patients mentioned herein are identified in Appendix A), treated by Respondent in Respondent's office at 165-15 71st Avenue, Flushing, New York, from on or about May 31, 1990 through on or about July 8, 1993, Respondent:

1. Prescribed the controlled substance DIDREX inappropriately and without conducting and/or noting

adequate initial and/or follow-up evaluations, including but not limited to physical examinations, initial and/or interim history, blood and urine screens and/or electrocardiogram.

B. With respect to Patient B, treated by Respondent in Respondent's office from approximately on or about April 9, 1991 through approximately on or about June 28, 1993, Respondent:

1. Prescribed the controlled substance DIDREX inappropriately and without conducting and/or noting adequate initial and/or follow-up evaluations, including, but not limited to physical examinations, initial and/or interim history, laboratory tests and/or electrocardiogram.

C. With respect to Patient C, treated by Respondent in Respondent's office from approximately on or about April 28, 1990 through approximately on or about June 22, 1993, Respondent:

1. Prescribed the controlled substance DIDREX inappropriately and without conducting and/or noting adequate initial and/or follow-up evaluations, including but not limited to physical examinations, initial and/or

interim history, laboratory tests and/or  
electrocardiogram.

D. With respect to Patient D, treated by Respondent in  
Respondent's office from approximately on or about May 14, 1990  
through approximately on or about July 12, 1993, Respondent:

1. Prescribed the controlled substance DIDREX  
inappropriately and without conducting and/or noting  
adequate initial and/or follow-up evaluations, including  
but not limited to physical examinations, initial and/or  
interim history, laboratory tests and/or  
electrocardiogram.

E. With respect to Patient E, treated by Respondent in  
Respondent's office from approximately on or about February 12,  
1990 through approximately on or about December 4, 1992,  
Respondent:

1. Prescribed the controlled substance DIDREX  
inappropriately and without conducting and/or noting  
adequate initial and follow-up evaluations, including but  
not limited to physical examinations, initial and/or  
interim history, blood and urine screens and/or  
electrocardiogram.

F. With respect to Patient F, treated by Respondent in Respondent's office from on or about approximately May 3, 1990 through approximately on or about June 18, 1993, Respondent:

1. Prescribed the controlled substance DIDREX inappropriately and without conducting and/or noting adequate initial and follow-up evaluations including but not limited to physical examinations, initial and/or interim history, laboratory tests and/or electrocardiogram.

G. With respect to Patient G, treated by Respondent in Respondent's office from on or about April 28, 1990 through on or about approximately the middle of 1993, Respondent:

1. Prescribed the controlled substance DIDREX inappropriately and without conducting and/or noting adequate initial and/or follow-up evaluations, including but not limited to physical examinations, initial and/or interim history, laboratory tests and/or electrocardiogram.

H. With respect to Patient H, treated by Respondent in Respondent's office from on or about April 11, 1991 through on or about March 24, 1993, Respondent:

1. Prescribed the controlled substance DIDREX inappropriately and without conducting and/or noting adequate initial and/or follow-up evaluations, including but not limited to physical examinations, initial and/or interim history, laboratory tests and/or electrocardiogram.

I. With respect to Patient I, treated by Respondent in Respondent's office on or about August 28, 1982, and then from on or about May 26, 1990 through on or about July 12, 1993, Respondent:

1. Prescribed the controlled substance DIDREX inappropriately and without conducting and/or noting adequate initial and/or follow-up evaluations, including but not limited to physical examinations, initial and/or interim history, laboratory tests and/or electrocardiogram.

J. On or about November 16, 1992, Respondent entered into a Stipulation and Order with the Department of Health, Bureau of Controlled Substances in which he admitted to violations of Article 33 of the Public Health Law and/or Part 80 of 10 NYCRR regarding the dispensing and documentation of controlled substances from his office at 165-15 71st Avenue, Flushing, New York between approximately July 1987 and October 1989.

**SPECIFICATION OF CHARGES**

**FIRST SPECIFICATION**

**PRACTICING WITH NEGLIGENCE  
ON MORE THAN ONE OCCASION**

Respondent is charged with practicing the profession with negligence on more than one occasion under N.Y. Educ. Law Section 6530(3) (McKinney Supp. 1994) in that Petitioner charges at least two of the following:

1. The facts alleged in paragraphs A and A(1), B and B(1), C and C(1), D and D(1), E and E(1), F and F(1), G and G(1), H and H(1), and/or I and I(1).

**SECOND SPECIFICATION**

**PRACTICING WITH GROSS NEGLIGENCE**

Respondent is charged with practicing the profession with gross negligence under N.Y. Educ. Law Section 6530(4) (McKinney Supp. 1994), in that Petitioner charges:

2. The facts alleged in paragraphs A and A(1), B and B(1), C and C(1), D and D(1), E and E(1), F and F(1), G and G(1), H and H(1), and/or I and I(1).

**THIRD SPECIFICATION**

**PRACTICING WITH INCOMPETENCE**

**ON MORE THAN ONE OCCASION**

Respondent is charged with practicing the profession with incompetence on more than one occasion under N.Y. Educ. Law Section 6530(5) (McKinney Supp. 1994), in that Petitioner charges at least two of the following:

3. The facts alleged in paragraphs A and A(1), B and B(1), C and C(1), D and D(1), E and E(1), F and F(1), G and G(1), H(1), and/or I and I(1).

**FOURTH SPECIFICATION**

**PRACTICING WITH GROSS INCOMPETENCE**

Respondent is charged with practicing the profession with gross incompetence on more than one occasion under N.Y. Educ. Law Section 6530(6) (McKinney Supp. 1994), in that Petitioner charges:

4. The facts alleged in paragraphs A and A(1), B and B(1), C and C(1), D and D(1), E and E(1), F and F(1), G and G(1), H and H(1) and/or I and I(1).

**FIFTH SPECIFICATION**

**ARTICLE 33 VIOLATION**

Respondent is charged with having been found in violation of Article 33 of the Public Health Law under N.Y. Educ. Law Sec. 6530(9) (McKinney's Supp. 1994) in that Petitioner charges:

6. The facts alleged in paragraph J.



DATED: New York, New York

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CHRIS STERN HYMAN  
Counsel  
Bureau of Professional  
Medical  
Conduct

EXHIBIT "B"

TERMS OF PROBATION

1. MONROE HARRIS, D.O., during the period of probation, shall conduct himself in all ways in a manner befitting his professional status, and shall conform fully to the moral and professional standards of conduct imposed by law and by his profession;
2. That Respondent shall submit written notification to the New York State Department of Health (NYSDOH), addressed to the Director, Office of Professional Medical Conduct (OPMC), New York State Health Department, Corning Tower Building, 4th Floor, Empire State Plaza Albany, New York 12237 of any employment and practice, of Respondent's residence and telephone number, of any change in Respondent's employment, practice, residence, or telephone number within or without the State of New York;
3. Respondent shall submit written proof from the Division of Professional Licensing Services (DPLS), New York State Education Department (NYSED), that Respondent has paid all registration fees due and owing to the NYSED and Respondent shall cooperate with and submit whatever papers are requested by DPLS in regard to said registration fees, said proof from DPLS to be submitted by Respondent to the New York State Department of Health, addressed to the Director, OPMC, as aforesaid, no later than the first three months of the period of probation;
4. Respondent shall submit written proof to the NYSDOH, addressed to the Director, Office of Professional Medical Conduct, as aforesaid, that 1) Respondent is currently registered with the NYSED, unless Respondent submits written proof that Respondent has advised DPLS, NYSED, that Respondent is not engaging in the practice of Respondent's profession in the State of New York and does not desire to register, and that 2) Respondent has paid any fines which may have previously been imposed upon Respondent by the Board or by the Board of Regents; said proof of the above to be submitted no later than the first two months of the period of probation;
5. Respondent shall comply with all terms, conditions, restrictions, and penalties to which he is subject pursuant to the order of the Board. During the two year probationary period, Respondent's medical practice shall be subject to monitoring by OPMC. Respondent shall meet quarterly with an individual ("monitor") designated by the Director of OPMC for the purpose of performing such monitoring. At the request of the monitor, Respondent

shall provide medical records and controlled substance ordering and inventory records selected in a number and manner selected by the monitor.

6. Any civil penalty not paid by the date prescribed herein shall be subject to all provisions of law relating to debt collection by the State of New York. This includes but is not limited to the imposition of interest, late payment charges and collection fees; referral to the New York State Department of Taxation and Finance for collection; and non renewal of permits or licenses (Tax Law section 171(27); State Finance Law section 18; CPLR section 5001; Executive Law section 32).
7. So long as there is full compliance with every term herein set forth, Respondent may continue to practice his or her aforementioned profession in accordance with the terms of probation; provided, however, that upon receipt of evidence of noncompliance with, or any violation of these terms, the Director of OPMC and/or the Board may initiate a violation of probation proceeding and/or such other proceeding against Respondent as may be authorized pursuant to the Public Health Law.