



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

C. Maynard Guest, M.D.
Executive Secretary

March 28, 1995

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

Todd Houthuysen, P.A.
15 Birchwood Terrace
Clifton, New Jersey 07012

RE: License No. 004550

Dear Mr. Houthuysen:

Effective Date: 04/04/95

Enclosed please find Order #BPMC 95-69 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,

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

Enclosure

cc: Bernard Ferguson, Esq.
7 Essex Drive
Westerly, Rhode Island 02891
Roy Nemerson, Esq.

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

IN THE MATTER
OF
TODD HOUTHUYSEN, P.A.

CONSENT
ORDER
BPMC #95-69

Upon the application of TODD HOUTHUYSEN, P.A., (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: 23 March 1995



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

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

IN THE MATTER
OF
TODD HOUTHUYSEN, P.A.

APPLICATION
FOR
CONSENT ORDER

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

TODD HOUTHUYSEN, P.A., being duly sworn, deposes and says:

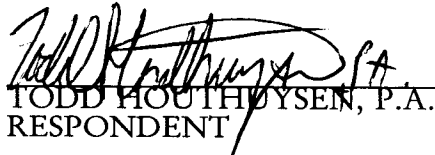
1. That on or about June 18, 1994 I was licensed to practice as a physician 's assistant in the State of New York, having been issued License No. 004550 by the New York State Education Department.
2. My current address is 15 Birchwood Terrace, Clifton, New Jersey 07012 and I will advise the Director of the Office of Professional Medical Conduct of any change of my address.
3. I understand that the New York State Board for Professional Medical Conduct has charged me with two specifications of professional misconduct.
4. A copy of the Statement of Charges is annexed hereto, made a part hereof, and marked as Exhibit "A".
5. I admit guilt to the Second Specification, in full satisfaction of the charges against me. I hereby agree to the penalty of a two year suspension of my license, with such suspension to be stayed, and a two year period of probation, the terms of which are annexed hereto as Exhibit B.

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

7. 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.

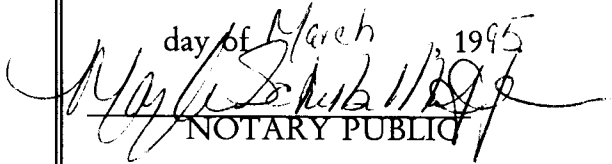
8. I agree that, in the event the Board grants my Application, as set forth herein, an order of the Chairperson of the Board shall be issued in accordance with same.

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


TODD HOUTHUYSEN, P.A.
RESPONDENT

Sworn to before me this 9th

day of March, 1995


NOTARY PUBLIC

MARYANN SCHEIBELHOFFER
NOTARY PUBLIC OF NEW JERSEY
MY COMMISSION EXPIRES JULY 12, 1999

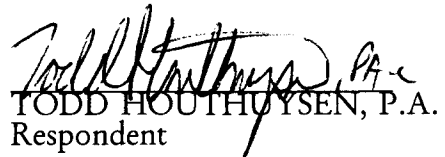
NEW YORK STATE : DEPARTMENT OF HEALTH
STATE BOARD FOR PROFESSIONAL MEDICAL CONDUCT

**IN THE MATTER
OF
TODD HOUTHUYSEN, P.A.**

APPLICATION
FOR
CONSENT ORDER

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


DATE: 3-10-95


TODD HOUTHUYSEN, P.A.
Respondent

DATE: 3.2.95


BERNARD FERGUSON, ESQ.
Attorney for Respondent

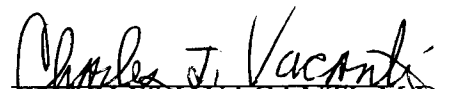
DATE: 3/14/95


~~STACEY B. MONDSCHHEIN~~ *Res. Venerable*
Deputy Assistant Counsel
Bureau of Professional
Medical Conduct

DATE: March 21, 1995


KATHLEEN M. TANNER
Director
Office of Professional Medical
Conduct

DATE: 23 March 1995


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
TODD HOUTHEYSEN, P.A. : CHARGES**
-----X

TODD HOUTHUYSEN, P.A., the Respondent, was authorized to practice as a physician's assistant in New York State on June 18, 1994, by the issuance of license number 004550 by the New York State Education Department. The Respondent is currently registered with the New York State Education Department to practice as a physician's assistant for the period January 1, 1993, through December 31, 1995, with a registration address of 15 Birchwood Terrace, Clifton, New Jersey 07012.

FACTUAL ALLEGATIONS

A. By Order to Show Cause and Verified Complaint dated May 6, 1994, the State of New Jersey, Department of Law and Public Safety, Division of Consumer Affairs, State Board of Medical Examiners, Physician Assistant Advisory Committee (hereinafter the "NJ Board"), charged Respondent with five counts of misconduct, including inappropriately issuing a prescription, failing to identify himself as a physician's assistant, commencing employment as a physician's assistant prior to being licensed in New Jersey, failing to file a "Notice of Employment" with the NJ Board, and responding falsely to an inquiry from the NJ Board in that he stated that he was unemployed during a period that he actually was engaging in unauthorized practice, prior to obtaining licensure in New Jersey. As a result, on May 11, 1994, it was ordered that Respondent's physician's assistant license be temporarily suspended until certain requirements were met and approved by the NJ Board.

SPECIFICATIONS OF CHARGES

FIRST SPECIFICATION

Having Been Found Guilty of Professional Misconduct by a Duly Authorized Disciplinary Agency of Another State

Respondent is charged pursuant to New York State Education Law Section 6530(9)(b) (McKinney Supp. 1994) with having been found guilty of improper professional practice or professional misconduct by a duly authorized professional disciplinary agency of another state, where the conduct upon which the finding was based would, if committed in New York State, constitute professional misconduct under the laws of New York State, including, but not limited to New York State Education Law Sections 6530(2), (24), and/or (37). Specifically, Petitioner charges:

1. The facts in Paragraph A.

SECOND SPECIFICATION

Having Disciplinary Action Taken or License Suspended by a Duly Authorized Disciplinary Agency of Another State

Respondent is charged, pursuant to New York State Education Law Section 6530(9)(d) (McKinney Supp. 1994) with having his license to practice medicine revoked, suspended or having other disciplinary action taken, or having his application for a license refused, revoked or suspended or having voluntarily or otherwise surrendered his license after 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 would, if committed in New York State, constitute professional misconduct under the laws of New York State, including, but not limited to New York State Education Law Sections 6530(2), (24) and/or (37). Specifically, Petitioner charges:

2. The facts in Paragraph A.

DATED: Jan. 18, 1995
New York, New York



CHRIS STERN HYMAN
Counsel
Bureau of Professional
Medical Conduct

"EXHIBIT "B"

TERMS OF PROBATION

1. TODD HOUTHUYSEN, P.A., during the period of probation, shall conduct himself/herself in all ways in a manner befitting his/her professional status, and shall conform fully to the moral and professional standards of conduct imposed by law and by his/her profession;
2. Respondent shall submit written notification to the New York State Department of Health (NYSDOH), addressed to the Director, Office of Professional Medical Conduct, New York State Department of Health, Corning Tower Building, 4th Floor, Empire State Plaza, Albany, New York 12237 of any employment and practice, of Respondent's residence and telephone number, and 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, Office of Professional Medical Conduct ("OPMC"), as aforesaid, within the first three months of the period of probation;
4. Respondent shall submit written proof to the NYSDOH, addressed to the Director of OPMC, 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;
 - a) Respondent's practice shall be reviewed on a quarterly basis by an employee of or individual selected by the Director of OPMC who shall report any noncompliance by Respondent with the laws of New York State governing physician's assistants or with the terms of probation as set forth herein. Among other things, at his quarterly meetings, Respondent shall provide for discussion and examination medical records selected at the direction of OPMC and shall demonstrate his full understanding regarding the nature of and limitations on the practice of a physician's assistant in New York State.
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 §171(27); State Finance Law §18; CPLR §5001; Executive Law §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.