



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

August 31, 1994

CERTIFIED MAIL-RETURN RECEIPT REQUESTED

Cheng-Tong Hung, M.D.
3211 Dudley Avenue
Parkersburg, West Virginia 26101

RE: License No. 109900
Effective Date: 9/7/94

Dear Dr. Hung:

Enclosed please find Order #BPMC 94-172 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

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

-----X

IN THE MATTER :
OF : ORDER
CHENG-TONG HUNG, M.D. : BPMC #94-172

-----X

Upon the Application of CHENG-TONG HUNG, M.D. (Respondent) 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: 26 August 1994

Charles J. Vacanti

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
CHENG-TONG HUNG, M.D. : LICENSE

-----X

STATE OF WEST VIRGINIA)

ss.:

COUNTY OF *wood*)

CHENG-TONG HUNG, M.D., being duly sworn, deposes and says:

On or about August 17, 1971, I was licensed to practice medicine as a physician in the State of New York having been issued License No. 109900 by the New York State Education Department.

I am not currently registered with the New York State Education Department to practice as a physician in the State of New York.

I understand that I have been charged with One Specifications 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.

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.

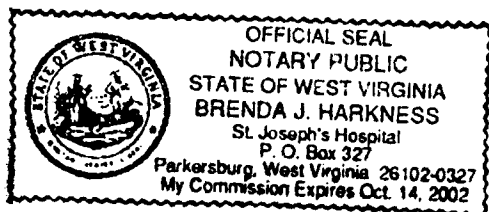
I agree that in the event the State Board for Professional Medical Conduct grants my application, an order shall be issued striking my name from the roster of physicians in the State of New York without further notice to me.

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


CHENG-TONG HUNG, M.D.
Respondent

Sworn to before me this
15th day of August, 1994


NOTARY PUBLIC



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

-----X
IN THE MATTER : APPLICATION TO
OF : SURRENDER
CHENG-TONG HUNG, M.D. : LICENSE
-----X

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

Date: 8/15, 1994

Cheng-Tong Hung
CHENG-TONG HUNG, M.D.
Respondent

Date: August 8, 1994

Robert O'Neil
ROBERT O'NEIL, Esq.
Attorney for Respondent

Date: _____, 1994

Michael A. Hiser / SB
MICHAEL A. HISER
Associate Counsel
Bureau of Professional
Medical Conduct

Date: August 30, 1994

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

Date: 26 August, 1994

Charles J. Vacanti
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 : STATEMENT
OF : OF
CHENG-TONG HUNG, M.D. : CHARGES

-----X

CHENG TONG HUNG, M.D., the Respondent, was authorized to practice medicine in New York State on August 17, 1971, by the issuance of license number 109900 by the New York State Education Department. The Respondent is not currently registered with the New York State Education Department to practice medicine. He was last registered prior to 1980, the earliest date for which records of registrations have been maintained.

FACTUAL ALLEGATIONS

A. By Consent Order dated September 17, 1993, in Re: Cheng Tong Hung, M.D., the Board of Medicine of the State of West Virginia (hereafter, "West Virginia Board") and the Respondent agreed to the imposition of a Public Reprimand on Respondent.

B. In the Consent Order's Findings of Fact, Respondent agreed that he knew a certain patient was allergic to a specific antibiotic, that he nonetheless prescribed the antibiotic to the patient, that he had specific reasons for doing so, but that he made no documentation of these reasons in the patient's medical records.

C. In the Consent Order's Conclusion of Law, Respondent agreed that probable cause existed to charge him with a violation of West Virginia Code §30-3-14(c) (17) and 11 CSR 1A 12.1(x), i.e. failing to practice medicine with that level of care, skill, and treatment which is recognized by a reasonable, prudent physician engaged in the same or similar specialty as being acceptable under similar conditions and circumstances. The license discipline of a public censure and reprimand was imposed.


D. The conduct upon which the finding of Respondent's improper professional practice or professional misconduct was based would, if committed in New York State, constitute professional misconduct under the laws of New York State, specifically, N.Y. Educ. Law §6530(4) (McKinney Supp. 1994) (practicing the profession with gross negligence on a particular occasion) and/or §6530(6) (McKinney Supp. 1994) (practicing the profession with gross incompetence).

SPECIFICATION OF MISCONDUCT
IMPOSITION OF DISCIPLINARY ACTION

Respondent is charged with having disciplinary action taken by a duly authorized professional disciplinary agency of another state, where the conduct resulting in the disciplinary action involving the license would, if committed in New York State, constitute professional misconduct under the laws of New York State, within the meaning of N.Y. Educ. Law §6530(9)(d) (McKinney Supp. 1994), in that Petitioner charges:

1. The facts in paragraphs A, B, C, and/or D.

DATED: *July 13*, 1994
Albany, New York


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