



**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

October 4, 1993

**CERTIFIED MAIL-RETURN RECEIPT REQUESTED**

Raul J. Infante, M.D.  
Apartment 6K  
36 Hamilton Avenue  
Staten Island, New York 10301

RE: License No. 093282  
Effective Date: 10/11/93

Dear Dr. Infante:

Enclosed please find Order #BPMC 93-154 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  
RAUL INFANTE, M.D. : BPMC 93-154

-----X

Upon the Application of RAUL INFANTE, M.D. (Respondent) to Surrender his or her 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 Respondent shall not apply for the restoration of Respondent's license until at least one year has elapsed from the effective date of this order; 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 via certified mail, whichever is earliest.

SO ORDERED,

DATED:

1 October 1993

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

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IN THE MATTER

: APPLICATION  
:  
: TO SURRENDER  
:  
: LICENSE  
:

OF

RAUL INFANTE, M.D.

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

RAUL INFANTE, M.D., being duly sworn, deposes and says:

In or about 1964, I was licensed to practice as a physician in the State of New York having been issued License No. 903282 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 beginning on January 1, 1993 through December 31, 1994. My registration address is 470 West End Avenue, New York, New York 10024.

I understand that I have been charged with six (6) specification(s) 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 specification(s) of professional misconduct set forth in the 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.

*Raul T. Infante M.D.*

RAUL INFANTE, M.D.

Respondent

DRIVER LICENSE NO. I11421132977235381-13

Sworn to before me this  
18<sup>th</sup> day of September, 1993

*Jerry Jaramillo*

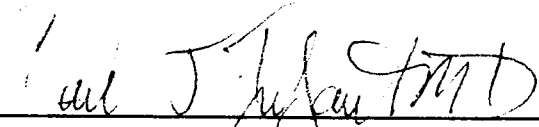
NOTARY PUBLIC


OFFICIAL NOTARY SEAL  
JERRY JARAMILLO  
NOTARY PUBLIC STATE OF FLORIDA  
COMMISSION NO. CC194749  
MY COMMISSION EXP. MAY 21, 1996

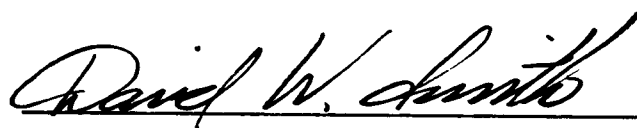
STATE OF NEW YORK : DEPARTMENT OF HEALTH  
STATE BOARD FOR PROFESSIONAL MEDICAL CONDUCT

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IN THE MATTER :  
OF : APPLICATION  
RAUL INFANTE, M.D. : TO SURRENDER  
: LICENSE  
:-----

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

Date: Sept. 18, 1993  
  
\_\_\_\_\_  
RAUL INFANTE, M.D.  
Respondent

Date: Sept 20, 1993  
  
\_\_\_\_\_  
RONALD WOHL, ESQ.  
Attorney for Respondent

Date: Sept 22, 1993  
  
\_\_\_\_\_  
DAVID W. SMITH  
Assistant Counsel  
Bureau of Professional  
Medical Conduct

RAUL INFANTE, M.D.

Date: Oct. 1, 1993

Kathleen M. Tanner

KATHLEEN M. TANNER  
Director, Office of Professional  
Medical Conduct

Date: 1 October 1993

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  
RAUL INFANTE, M.D. : CHARGES  
-----X

RAUL INFANTE, M.D., the Respondent, was authorized to practice medicine in New York State in 1964 by the issuance of license number 903282 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.

FACTUAL ALLEGATIONS

- A. Patient A was treated by Respondent for obesity and other medical conditions from in or about May, 1990 to in or about September, 1992, in his medical office at 470 West End Avenue, New York City. (All patients are identified in the Appendix attached hereto.)
  - 1. Throughout the period, Respondent failed to perform or note an adequate physical examination.



2. Throughout the period, Respondent failed to obtain or note an adequate medical history.
  3. Throughout the period, Respondent inappropriately prescribed phentermine despite the fact that he knew that Patient A had twice been hospitalized for abuse of phentermine.
  4. Throughout the period, Respondent failed to note the hospitalizations of Patient A in his patient notes, failed to consult Patient A's psychiatrist and failed to obtain the hospital records.
- B. Patient B was treated by Respondent in or about December, 1989, for sore throat and other medical conditions at Respondent's office at 470 West End Avenue, New York City.
1. Respondent failed to perform or note an adequate physical examination.
  2. Respondent failed to obtain or note an adequate medical history.

3. At each visit, Respondent inappropriately prescribed penicillin to be taken parenterally plus erythromycin to be taken orally.
- C. On or about March 14 of a year not recorded in Respondent's patient note, Patient C was treated by Respondent for an ovarian cyst and other medical conditions at his office at 470 West End Avenue, New York City.
1. Respondent failed to perform or note an adequate physical examination.
  2. Respondent failed to obtain or note an adequate medical history.
  3. Respondent inappropriately prescribed terramycin for Patient C.
- D. Patient D was treated by Respondent on or about July 17, 1990 for uterine bleeding and other medical conditions at his office at 470 West End Avenue, New York City.
1. Respondent failed to perform or note an adequate physical examination.

2. Respondent failed to obtain or note an adequate medical history.
3. Respondent inappropriately prescribed amoxicillin.
4. Respondent failed to refer Patient D or to note such referral, if any, for a gynecological consult which was indicated.
5. Respondent failed to order, perform, or note, indicated diagnostic and laboratory tests including a PAP smear and a blood count.

## **SPECIFICATIONS**

### **FIRST SPECIFICATION**

#### **GROSS NEGLIGENCE ON A PARTICULAR OCCASION**

Respondent is charged with practicing the profession with gross negligence on a particular occasion within the meaning of N.Y. Educ. Law Section 6530(4) (McKinney Supp. 1993). Petitioner charges:

1. The facts in Paragraphs A1-4.

**SECOND SPECIFICATION**

**NEGLIGENCE ON MORE THAN ONE OCCASION**

Respondent is charged with practicing the profession with negligence on more than one occasion within the meaning of N.Y. Educ. Law Section 6539(3) (McKinney Supp. 1993). Petitioner charges:

2. The facts in Paragraphs A and A1-4; B and B1-3; C and C1-3; and/or D and D1-5.

**THIRD THROUGH SIXTH SPECIFICATIONS**

**FAILURE TO KEEP RECORDS**

Respondent is charged with failure to maintain a record for each patient which reflects the evaluation and treatment of such patient within the meaning of N.Y. Educ. Law Section 6550(32) (McKinney Supp. 1993). Petitioner charges:

3. The facts in Paragraphs A and A1, 2, 4.

4. The facts in Paragraphs B and B1-2.

5. The facts in Paragraphs C and C1-2.

6. The facts in Paragraphs D and D1, 2, 4, 5.

DATED: New York, New York

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CHRIS STERN HYMAN  
Counsel  
Bureau of Professional Medical  
Conduct