



New York State Board for Professional Medical Conduct

433 River Street, Suite 303 • Troy, New York 12180-2299 • (518) 402-0863

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Office of Professional Medical Conduct

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Vice Chair

Ansel R. Marks, M.D., J.D.
Executive Secretary

August 22, 2000

CERTIFIED MAIL-RETURN RECEIPT REQUESTED

Carl Jean-Baptiste, M.D.
240 Willoughby St.
Brooklyn, New York 11201

RE: License No. 102591

Dear Dr. Jean-Baptiste:

Enclosed please find Order #BPMC 00-232 of the New York State Board for Professional Medical Conduct. This Order and any penalty provided therein goes into effect August 22, 2000.

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 to Board for Professional Medical Conduct, New York State Department of Health, Hedley Park Place, Suite 303, 433 River Street, Troy, New York 12180.

Sincerely,

Ansel R. Marks, M.D., J.D.
Executive Secretary
Board for Professional Medical Conduct

Enclosure

cc: Gamiel A. Ramson, Esq.
277 Broadway
New York, New York 10007

Marcia R. Kaplan, Esq.

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

IN THE MATTER
OF
CARL JEAN-BAPTISTE, M.D.

CONSENT
ORDER

BPMC NO. 00-232


Upon the proposed agreement of CARL JEAN-BAPTISTE, M.D. (Respondent) for Consent Order, which application is made a part hereof, it is agreed to and

ORDERED, that the application and the provisions thereof are hereby adopted and so ORDERED, and it is further

ORDERED, that this order shall be effective upon issuance by the Board, which may be accomplished by mailing, by first class mail, a copy of the Consent Order to Respondent at the address set forth in this agreement or to Respondent's attorney by certified mail, or upon transmission via facsimile to Respondent or Respondent's attorney, whichever is earliest.

SO ORDERED.

DATED: 8/17/00



WILLIAM P. DILLON, M.D.
Chair
State Board for Professional
Medical Conduct

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

IN THE MATTER
OF
CARL JEAN-BAPTISTE, M.D.

CONSENT
AGREEMENT
AND
ORDER

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

CARL JEAN-BAPTISTE, M.D., (Respondent) being duly sworn, deposes and says:

That on or about October 15, 1968, I was licensed to practice as a physician in the State of New York, having been issued License No. 102591 by the New York State Education Department.

My current address is 240 Willoughby Street, Brooklyn, N.Y. 11201, and I will advise the Director of the Office of Professional Medical Conduct of any change of my address.

I understand that the New York State Board for Professional Medical Conduct has charged me with two 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 two specifications, in full satisfaction of the charges against me. I hereby agree to a penalty of Censure and Reprimand.

I further agree that the Consent Order for which I hereby apply shall impose the following conditions:

That, except during periods of actual suspension, Respondent shall maintain current registration of Respondent's license with the New York State Education Department Division of Professional Licensing Services, and pay all registration fees. This condition shall be in effect beginning thirty days after the effective date of the Consent Order and will continue while the licensee possesses his license; and

That Respondent shall fully cooperate in every respect with the Office of Professional Medical Conduct (OPMC) in its administration and enforcement of this Order and in its investigation of all matters regarding Respondent.

Respondent shall respond in a timely manner to each and every request by OPMC to provide written periodic verification of Respondent's compliance with the terms of this Order. Respondent shall meet with a person designated by the Director of OPMC as directed. Respondent shall respond promptly and provide any and all documents and information within Respondent's control upon the direction of OPMC. This condition shall be in effect beginning upon the effective date of the Consent Order and will continue while the licensee possesses his license.

I hereby stipulate that any failure by me to comply with such conditions shall constitute misconduct as defined by New York State Education Law §6530(29).

I agree that in the event I am charged with professional misconduct in the future, this agreement and order shall be admitted into evidence in that proceeding.

I hereby make this Application to the State Board for Professional Medical Conduct (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 agree that such order shall be effective upon issuance by the Board which may be accomplished by mailing, by first class mail, a copy of the Consent Order to me at the address set forth in this agreement, or to my attorney, or upon transmission via facsimile to me or my attorney, whichever is earliest.

I am making this Application of my own free will and accord and not under duress, compulsion or restraint of any kind or manner. In consideration of the value to me of the acceptance by the Board of this Application, allowing me to resolve this matter without the various risks and burdens of a hearing on the merits, I knowingly waive any right I may have to contest the Consent Order for which I hereby apply, whether administratively or judicially, and ask that the Application be granted.

Carl Jean Baptiste
CARL JEAN-BAPTISTE, M.D.
RESPONDENT

DATED NY, NY 8-9-00

Sworn to before me
on this 9th day of
August 2000

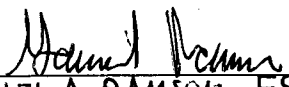
Gamiel Ramson

NOTARY

GAMIEL RAMSON
Notary Public, State of New York
No. 01RA4716627
Qualified in New York County
Commission Expires Nov. 30, 2000

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

DATE: 8-9-00


GAMIEL A. RAMSOU, ESQ.
Attorney for Respondent

DATE: August 14, 2000


MARCIA E. KAPLAN
Associate Counsel
Bureau of Professional
Medical Conduct

DATE: August 17, 2000


ANNE F. SAILE
Director
Office of Professional
Medical Conduct

EXHIBIT "A"

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

**IN THE MATTER
OF
CARL JEAN-BAPTISTE, M.D.**

**STATEMENT
OF
CHARGES**

CARL JEAN-BAPTISTE, M.D., the Respondent, was authorized to practice medicine in New York State on or about October 15, 1968, by the issuance of license number 102591 by the New York State Education Department.

FACTUAL ALLEGATIONS

- A. Respondent failed to retain for at least six years medical records for Patients A and B (identified in attached Appendix "A") accurately reflecting the care and treatment of these patients during the six year period prior to and/or including 1997.
- B. Respondent failed to provide Patients A and B with copies of their medical records, per their requests, in or about 1997.

SPECIFICATION OF CHARGES

FIRST SPECIFICATION

FAILURE TO MAINTAIN RECORDS

Respondent is charged with committing professional misconduct as defined in N.Y. Educ. Law §6530(32)(McKinney Supp. 2000) by failing to maintain a record for each patient which accurately reflects the care and treatment of the patient and/or retain such record for at least six years, as alleged in the facts of:

1. Paragraph A.

SECOND SPECIFICATION

FAILING TO PROVIDE MEDICAL RECORDS TO PATIENTS

Respondent is charged with committing professional misconduct as defined in N.Y. Educ. Law §6530(40)(McKinney Supp. 2000) by failing to provide access by qualified persons to patient information in accordance with the standards set forth in section eighteen of the public health law as added by chapter 497 of the laws of 1986, as alleged in the facts of:

2. Paragraph B.

DATED: June , 2000
New York, New York

ROY NEMERSON
Deputy Counsel
Bureau of Professional
Medical Conduct