



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 23, 1993

CERTIFIED MAIL-RETURN RECEIPT REQUESTED

James W. Jones, D.O.
10545 Maylee
Dallas, Texas 75228

RE: License No. 120716
Effective Date: 9/30/93

Dear Dr. Jones:

Enclosed please find Order #BPMC 93-148 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

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IN THE MATTER :
OF : ORDER
JAMES W. JONES, D.O. : BPMC # 93-148

-----X

Upon the application of JAMES W. JONES, 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: 20 September 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

IN THE MATTER : APPLICATION
OF : FOR
JAMES W. JONES, D.O. : CONSENT
: ORDER

STATE OF TEXAS)
) ss.:
COUNTY OF)

JAMES W. JONES, D.O., being duly sworn, deposes and says:
That on or about July 11, 1974 I was licensed to practice
as a physician in the State of New York, having been issued
License No. 120716 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 currently reside at 10545 Maylee, Dallas, Texas
75228.

I understand that the New York State Board of Professional
Medical Conduct (the Board) has charged me with One
Specification of professional misconduct.

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

I admit that the Texas State Board of Medical Examiners, a
duly authorized professional disciplinary agency, took

disciplinary action against my license to practice medicine in the State of Texas pursuant to an Order dated April 21, 1990, subsequently amended by an Order dated March 6, 1992.

I hereby agree to a penalty of a suspension of my license to practice medicine for a period of three years, said suspension to be stayed, and that I shall further be placed on probation for a period of three years under the terms set forth in Exhibit B, hereto attached. This period of probation shall be tolled until such time as the Director of the Office of Professional Conduct may be advised, in writing, that I have commenced a medical practice within New York State.

I hereby make this application to 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 may be issued in accordance with same.

No promises of any kind were made 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.

James W. Jones, D.O.
JAMES W. JONES, D.O.
Respondent

Sworn to before me this
9th day of Sept, 1973.

Bridget Emmons
NOTARY PUBLIC



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

IN THE MATTER : APPLICATION
OF : FOR
JAMES W. JONES, D.O. : 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: Sept 9, 1993 *James W. Jones*
JAMES W. JONES, D.O.
Respondent

Date: 20 September 1993 *Charles J. Vacanti*
CHARLES VACANTI, M.D.
Chairperson, State Board for
Professional Medical Conduct

Date: Sept. 22, 1993 *Kathleen M. Tanner*
KATHLEEN M. TANNER
Director, Office of Professional
Medical Conduct

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

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IN THE MATTER : STATEMENT
OF : OF
JAMES WENDELL JONES, D.O. : CHARGES
-----X

JAMES WENDELL JONES, D.O., the Respondent, was authorized to practice medicine in New York State on July 11, 1974 by the issuance of license number 120716 by the New York State Education Department. The Respondent is not currently registered with the New York State Education Department to practice medicine. His current address is 10545 Maylee, Dallas, Texas 75228.

FACTUAL ALLEGATIONS

A. On March 6, 1992, the Texas State Board of Medical Examiners, a duly authorized professional disciplinary agency, issued an Order amending an original Order of the Texas Board dated April 21, 1990, and which took disciplinary action against the Respondent's license to practice medicine in the State of Texas.

1. The Texas Board, with the consent of the Respondent, found that the medical records of three patients

reflected inadequate documentation of diagnostic and treatment decisions by the Respondent. It was the conclusion of the Texas Board that Respondent violated Sections 3.08(18) and 4.01(a) of the Medical Practice Act of Texas, (Tex. Rev. Civ. Stat. Ann. art. 4495b, Vernon Supp. 1990) in that he displayed a professional failure to practice medicine in an acceptable manner consistent with public health and welfare.

2. The Texas Board, in its Amended Order, suspended the Respondent's license to practice medicine for three years, stayed such suspension and placed Respondent on probation for a three year period. The Respondent was further required to obtain a patient record review monitor to review a number of Respondent's patient charts selected at random to assess the quality and appropriateness of his diagnostic and treatment decisions. In addition, the Respondent was directed to obtain at least fifty hours of continuing medical education in specified subject areas during each of the three years of probation.
3. Respondent's conduct would have constituted professional misconduct in New York State pursuant to §6530(32) (McKinney Supp. 1993), i.e. failing to maintain a record for each patient which accurately reflects the evaluation and treatment of the patient.

SPECIFICATION OF CHARGES

HAVING BEEN FOUND GUILTY OF IMPROPER PROFESSIONAL PRACTICE OR PROFESSIONAL MISCONDUCT BY ANOTHER STATE

Respondent is charged with professional misconduct in violation of N.Y. Educ. Law §6530(9)(b) (McKinney Supp. 1993) [formerly N.Y. Educ. Law §6509(5)(b)] in that Respondent was 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, in that Petitioner charges:

1. The facts in Paragraphs A and A.1, A.2, and/or A.3.

DATED: Albany, New York

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

TERMS OF PROBATION

1. That Respondent, 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, New York State Health Department, Empire State Plaza, Tower Building, 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, Office of Professional Medical Conduct, 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, 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 of Regents; said proof of the above to be submitted no later than the first two months of the period of probation;
5. So long as there is full compliance with every term herein set forth, Respondent may continue to practice his aforementioned profession in accordance with the terms of probation; provided, however, that upon receipt of evidence of noncompliance with or any other violation of probation proceeding and/or such other proceeding may be initiated

against Respondent pursuant to the Education Law, Rules of the Board of Regents and/or Public Health Law.

6. During the period of probation, the Director of the Office of Professional Medical Conduct, or her designee, may review the professional performance of the Respondent. This review may include, but not be limited to, a random selection of office records, patient medical and/or billing records, hospital charts, and interviews with or periodic visits with the Respondent at his office location or at the offices of the Office of Professional Medical Conduct.