



New York State Board for Professional Medical Conduct

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

Barbara A. DeBuono, M.D., M.P.H.
Commissioner of Health

Patrick F. Carone, M.D., M.P.H.
Chair
Ansel R. Marks, M.D., J.D.
Executive Secretary

December 24, 1997

CERTIFIED MAIL-RETURN RECEIPT REQUESTED

Allen Josephs, M.D.
26 Eldorado Drive
East Northport, New York 11731

RE: License No. 086037

Dear Dr. Josephs:

Enclosed please find Order #BPMC 97-323 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
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: Paul Gianelli, Esq.
Reynolds, Caronia & Gianelli, LLP
200 Motor Parkway
PO Box 11177
Hauppauge, New York 11788

Roy Nemerson, Esq.

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

IN THE MATTER
OF
ALLEN JOSEPHS, D.O.

SURRENDER
OF
LICENSE

BPMC #97-323

STATE OF NEW YORK)
COUNTY OF SUFFOLK)

ss:

ALLEN JOSEPHS, D.O.; being duly sworn, deposes and says:

On or about July 17, 1961, I was licensed to practice medicine as a physician in the State of New York having been issued License No. 086037 by the New York State Education Department.

My current address is 26 Eldorado Drive, East Northport, NY 11731, and I will advise the Director of the Office of Professional Medical Conduct of any change of my address.

I understand that I have been charged with one specification of professional misconduct as set forth in the Statement of Charges, annexed hereto, made 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 admit the specification in full satisfaction of the Statement of Charges.

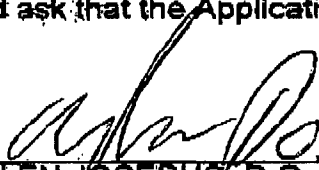
I hereby make this application to the State Board for Professional Medical Conduct and request that it be granted.

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. 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 Surrender Order for which I hereby apply, whether administratively or judicially, and ask that the Application be granted



ALLEN JOSEPHS, D.O.
RESPONDENT

Sworn to before me this

13 day of Dec, 1997



NOTARY PUBLIC

MICHELE ROUSE
Notary Public, State of New York
No. 4956453, Suffolk County
Commission Expires September 25, 1998

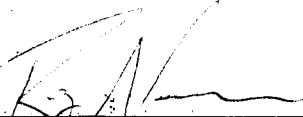
The undersigned agree to the attached application of the Respondent to surrender his license.

Date: 12/13/97



PAUL GIANELLI, Esq. -
Attorney for Respondent

Date: 12/15/97



ROY NEMERSON
Deputy Counsel
Bureau of Professional
Medical Conduct

Date: 12/17/97



ANNE F. SALE
Director
Office of Professional Medical Conduct

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

IN THE MATTER
OF
ALLEN JOSEPHS, D.O.

SURRENDER
ORDER

Upon the proposed agreement of ALLEN JOSEPHS, D.O. (Respondent) to Surrender his license as a physician in the State of New York, which proposed agreement is made a part hereof, it is agreed to and

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

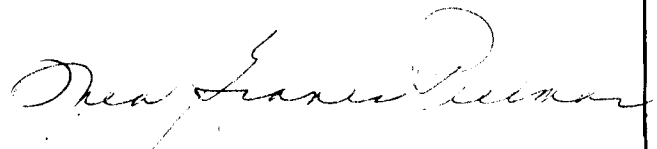
ORDERED, that the name of Respondent be stricken from the roster of physicians in the State of New York; it is further

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: 12/22/97

PATRICK F. CARONE, M.D., M.P.H.
Chairperson
State Board for Professional
Medical Conduct



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

IN THE MATTER
OF
ALLEN JOSEPHS, D.O.

STATEMENT
OF
CHARGES

ALLEN JOSEPHS, D.O., the Respondent, was authorized to practice medicine in New York State on or about July 17, 1961, by the issuance of license number 086037 by the New York State Education Department.

FACTUAL ALLEGATIONS

- A. By disposition dated May 23, 1997, in County Court of Suffolk County, New York State, Respondent was convicted, upon plea of guilt, of the felonies of ~~knowingly furnishing to a person a controlled substance relating to his submission of false information to the State Board of Professional Medical Conduct, and Criminal Sale of a Controlled Substance in the Fifth Degree, relating to the controlled substance Phentermine.~~

EXHIBIT "A"

SPECIFICATION OF CHARGES

SPECIFICATION

CRIMINAL CONVICTION (N.Y.S.)

Respondent is charged with committing professional misconduct as defined in N.Y. Educ. Law §6530(9)(a)(i)(McKinney Supp. 1997) by having been convicted of committing an act constituting a crime under New York state law as alleged in the facts of the following:

1. Paragraph A.

DATED: December 1997
New York, New York

ROY NEMERSON
Deputy Counsel
Bureau of Professional

EXHIBIT "A"