



New York State Board for Professional Medical Conduct

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

Antonia C. Novello, M.D., M.P.H.
*Commissioner
NYS Department of Health*

Dennis P. Whalen
*Executive Deputy Commissioner
NYS Department of Health*

Anne F. Saile, Director
Office of Professional Medical Conduct

William P. Dillon, M.D.
Chair

Denise M. Bolan, R.P.A.
Vice Chair

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

August 17, 1999

CERTIFIED MAIL-RETURN RECEIPT REQUESTED

Antony Joseph, M.D.
13810 Mount Hill Court
Midlothian, VA 23113

RE: License No.: 134173

Dear Dr. Joseph:

Enclosed please find Order #BPMC 99-205 of the New York State Board for Professional Medical Conduct. This Order and any penalty provided therein goes into effect **August 17, 1999.**

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: E. Stewart Jones, Jr., Esq.
Jones Building
28 Second Street
Troy, NY 12181

Robert Bogan, Esq.

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

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IN THE MATTER : SURRENDER
OF : ORDER
ANTONY JOSEPH, M.D. : BPMC #99-205

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ANTONY JOSEPH, M.D., says:

On or about April 14, 1978, I was licensed to practice medicine as a physician in the State of New York having been issued License No.134173 by the New York State Education Department. My address is ~~700 West Grace Street, Richmond, Virginia 23220.~~ ^{AP} 13810 MOUNT HILL COURT, MIDLOTHIAN Virginia 23113

I understand that I have been charged with two (2) 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 an agreement to allow me to surrender my license as a physician in the State of New York and request that the Board issue this Surrender Order.

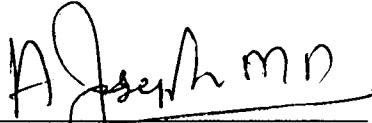
I do not contest the two (2) specifications set forth in the Statement of Charges.

I understand that, in the event that this proposed agreement 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 proposed agreement 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 agrees with my proposal, this Order shall be issued striking my name from the roster of physicians in the State of New York without further notice to me. I agree 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 Order to me at the address set forth above, or to my attorney, or upon transmission via facsimile to me or my attorney, whichever is earliest.

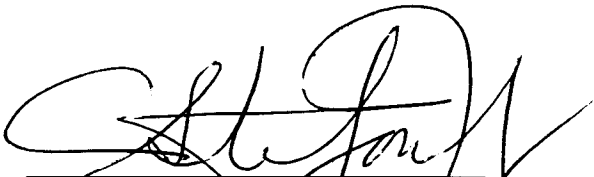
I am making this agreement of my own free will and accord and not under duress, compulsion, or restraint of any kind or manner.

Date: 7-29-, 1999

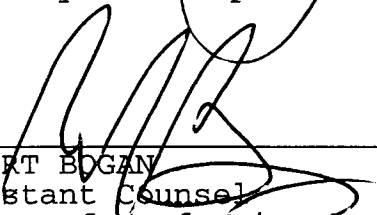

ANTONY JOSEPH, M.D.
Respondent

AGREED TO:

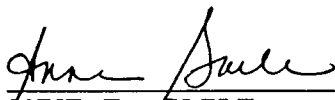
Date: 8/2, 1999


E. STEWART JONES, ESQ.
Attorney for Respondent

Date: 9 August, 1999


ROBERT BOGAN
Assistant Counsel
Bureau of Professional
Medical Conduct

Date: Aug 10, 1999


ANNE F. SAILE
Director, Office of
Professional Medical Conduct

ORDER

Upon the proposed agreement of ANTONY JOSEPH, M.D., 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 proposed agreement 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 be effective upon issuance by the Board, which may be accomplished by mailing, by first class mail, a copy of this Order to Respondent at the address set forth in this agreement or to Respondent's attorney, or upon transmissions via facsimile to Respondent or Respondent's attorney, whichever is earliest.

DATED: 8/11/99



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

EXHIBIT A

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

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IN THE MATTER : STATEMENT
OF : OF
ANTONY JOSEPH, M.D. : CHARGES

-----X

ANTONY JOSEPH, M.D., the Respondent, was authorized to practice medicine in New York State on April 14, 1978, by the issuance of license number 134173 by the New York State Education Department.

FACTUAL ALLEGATIONS

A. On or about March 3, 1998, the Commonwealth of Virginia Department of Health Professional Board of Medicine, (hereinafter "Virginia Board") entered an Order, (hereinafter "Virginia Board"), with regard to the Respondent. Pursuant to the Order, among other things, the Respondent's licence to practice medicine was placed on INDEFINITE PROBATION with terms and conditions.

B. The Virginia Order, referred to in Paragraph A above, found that the Respondent while providing hypnotic therapy to a patient for smoking, unbuttoned the patient's blouse and on another occasion, after checking to see if his secretary had left, Respondent told the patient to sit beside him and made sexual advances toward her. Thereafter, Respondent terminated his therapeutic relationship with this patient so that he could pursue a personal relationship with her; the patient became

pregnant and Respondent instructed her "to get rid of it." With regard to a second patient who was an in-patient at a hospital, Respondent kissed the patient, held hands with the patient, and rubbed the patients leg from her knee to her thigh. Upon this patients release from the hospital, Respondent terminated his treatment of her in order to have a personal relationship with her. Respondent then dated the patient and provided dinner and alcoholic beverages to the patient who was not of a legal age to consume alcoholic beverages. The Respondent acknowledged that he violated physician-patient boundary relationships, with both of the above described patients.

C. The Conduct resulting in the Virginia Board's disciplinary action against Respondent would constitute misconduct under the laws of New York State, pursuant to the following section of New York state law:

1. N.Y. Education Law Section 6530 (4) [gross negligence];
2. N.Y. Education Law Section 6530 (5) [incompetence on more than one occasion];
3. N.Y. Education Law Section 6530 (6) [gross incompetence]; and or
4. N.Y. Education Law Section 6530 (20) [moral unfitness].

SPECIFICATIONS

FIRST SPECIFICATION

Respondent is guilty of violating N.Y. Education Law Section

6530 (9) (b) by reason of having been 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 committed in New York state, in that the Petitioner charges:


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

SECOND SPECIFICATION

Respondent is guilty of professional misconduct under N.Y. Education Law Section 6530(9)(d) by reason of his having had disciplinary action taken against him by a duly authorized professional disciplinary agency of another state, where the conduct resulting in the disciplinary action would, if committed in New York state, constitute professional misconduct under the laws of New York state, in that the Petitioner charges:

2. The facts in paragraph A, B, and/or C.

DATED: *April 26*, 1999
Albany, New York


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