



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

February 16, 1992

CERTIFIED MAIL-RETURN RECEIPT REQUESTED

Morton Josephson, M.D.
2717 East Kenwood Boulevard
Milwaukee, WI 53211

RE: License No. 073872
Effective Date: 2/19/93

Dear Dr. Josephson:

Enclosed please find Order #BPMC 92-23 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 12237-0614

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
MORTON JOSEPHSON, M.D. : BPMC 92-23

-----X

Upon the application of Morton Josephson, M.D. (Respondent) to surrender his 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 his 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:

9 February 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
OF
MORTON JOSEPHSON, M.D.

: APPLICATION TO
:
: SURRENDER
:
: LICENSE
:

STATE OF WISCONSIN)
COUNTY OF MILWAUKEE)

SS.:

MORTON JOSEPHSON, M.D., being duly sworn, deposes and says:

On or about September 16, 1953, I was licensed to practice as a physician in the State of New York having been issued License No. 073872 by the New York State Education Department.

I am not currently registered to practice as a physician in the State of New York.

I understand that I have been charged with two 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 permission to surrender my license as a physician

in the State of New York on the grounds that I ~~admit guilt to~~ ^{do not contest} ^{2/2} the specifications 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.

Morton Josephson, M.D.

MORTON JOSEPHSON, M.D.
Respondent

Sworn to before me this
day of _____, 1993

Margaret Hendry
NOTARY PUBLIC

Notary Public, DeKalb County, Georgia
My Commission Expires June 27, 1994

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

IN THE MATTER : APPLICATION TO
OF : SURRENDER
MORTON JOSEPHSON, M.D. : LICENSE

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

Date: Jan 27, 1993

Morton Josephson, M.D.
MORTON JOSEPHSON, M.D.
Respondent

Date: Feb 10, 1993

Kevin C. Roe
KEVIN C. ROE
Associate Counsel
Bureau of Professional
Medical Conduct

Date: Feb 10, 1993

Kathleen M. Tanner
KATHLEEN M. TANNER
Director, Office of Professional
Medical Conduct

Date: 9 February 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
MORTON JOSEPHSON, M.D. : CHARGES

-----X

MORTON JOSEPHSON, M.D., the Respondent, was authorized to practice medicine in New York State on September 16, 1953 by the issuance of license number 073872 by the New York State Education Department. The Respondent is not currently registered with the New York State Education Department to practice medicine.

FACTUAL ALLEGATIONS

A. October 25, 1989, Respondent was convicted of sexual exploitation by a therapist, a misdemeanor in violation of Wisconsin statutes §940.22(2) in the Circuit Court of Milwaukee County, Wisconsin. Respondent was placed on probation for eighteen months and fined \$2500.00. Respondent's conduct, if committed in this state, would constitute sexual misconduct in violation of New York Penal Law §130.20.

B. On or about March 21, 1990, the Medical Examining Board of the State of Wisconsin accepted Respondent's surrender of license based on a stipulation that he had been convicted of criminal violations of Wisconsin Statutes §940.22(2), Sexual Exploitation by Therapists. The conduct resulting in the surrender of Respondent's license would, if committed in New York State, constitute professional misconduct under New York Education Law §6530 (2),(4),(6),(9)(a)(i), (20), and (44).

SPECIFICATIONS

FIRST SPECIFICATION

Out of State Criminal Conviction

Respondent is charged with having been convicted of committing an act constituting a crime under the law of another jurisdiction which, if committed within this state would have constituted a crime under New York State Law, in violation of New York Education Law Section 6530(9)(a)(iii) (McKinney Supp 1992) in that, Petitioner charges:

1. The facts in paragraph A.

SECOND SPECIFICATION

Out of State Discipline

Respondent is charged with having surrendered his license after a disciplinary action was instituted by a duly authorized professional disciplinary agency of another state, where the conduct resulting in the surrender of license would, if committed in New York State, constitute professional misconduct under the laws of New York State in violation of New York Education Law §6530(9)(d) (McKinney Supp 1992) in that Petitioner charges:

1. The facts in paragraph B.

DATED: Albany, New York

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