



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

August 22, 1994

CERTIFIED MAIL-RETURN RECEIPT REQUESTED

Tiido Kallas, M.D.
13 Colonial Drive
Dallas, PA 18712

RE: License No. 104100
Effective Date: 8/29/94

Dear Dr. Kallas:

Enclosed please find Order #BPMC 94-164 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
TIIDO KALLAS, M.D. : BPMC 94-164

-----X

Upon the application of TIIDO KALLAS, M.D. (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: 16 August 1994

Charles J. Vacanti
Charles J. Vacanti, M.D.
Chairperson
State Board for Professional
Medical Conduct

- A. Three year suspension of my license to practice medicine, such suspension to be stayed.

- B. In the event I resume the practice of medicine in the State of New New York, I shall be placed on probation for a period of five years subject to the Terms of Probation attached hereto as Exhibit "B".

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.

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

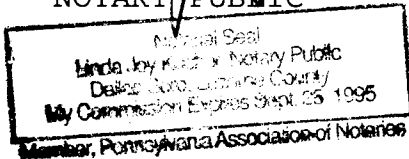
Tiido Kallas, M.D.

TIIDO KALLAS, M.D.
RESPONDENT

Sworn to before me this
9 day of Aug, 1994.

Linda Jay Kaku

NOTARY PUBLIC



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

-----X
: APPLICATION
IN THE MATTER :
OF : FOR
: CONSENT
TIIDO KALLAS, M.D. :
: ORDER
-----X

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

Date: Aug 8, 1994 Tiido Kallas, MD
TIIDO KALLAS, M.D.
RESPONDENT

Date: August 10, 1994 Dan Guenz
DANIEL GUENZBURGER
ASSISTANT COUNSEL
BUREAU OF PROFESSIONAL
MEDICAL CONDUCT

Date: Aug 19, 1994 Anne Sauer
for KATHLEEN M. TANNER
DIRECTOR
OFFICE OF PROFESSIONAL
MEDICAL CONDUCT

Date: 16 August 1994

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
TIIDO KALLAS, M.D. : CHARGES

-----X

TIIDO KALLAS, M.D., the Respondent, was authorized to practice medicine in New York State on July 10, 1968 by the issuance of license number 104100 by the New York State Education Department. The Respondent is not currently registered with the New York State Education Department to practice medicine in New York State. He resides at 13 Colonial Drive, Dallas, Pennsylvania 18712.

FIRST SPECIFICATION

1. Respondent is charged with professional misconduct within the meaning of N.Y. Educ. Law Section 6530(b) (McKinney Supp. 1994), in that he has been found guilty of improper professional practice or professional misconduct 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, specifically:

On or about January 9, 1991, the New Jersey State Board of Medical Examiners ("Board") found that Respondent violated N.J. Stat. Ann. 45:9-16(b) (1989) (Habitual use of an intoxicant). The Board found that Respondent had problems with alcohol abuse in the early 80's and that on or and August 31, 1990 he had a relapse into substance abuse. The Respondent's conduct, if committed in New York State, would have constituted professional misconduct under N.Y. Educ. Law Section 6530(8) ("Being a habitual abuser of alcohol.") (McKinney Supp. 1994).

The Board ordered 4 months actual license suspension and 18 months stayed suspension with probation. The terms of probation included that Respondent limit his practice to the Veterans Administration Medical Center, Wilkes-Barr, Pennsylvania, that he practice solely under the supervision of another physician, and that he authorize the supervisor to report to the Board any evidence of relapse into substance abuse.

SECOND SPECIFICATION

2. Respondent is charged with professional misconduct within the meaning of N.Y. Educ. Law Section 6530(9)(d) (McKinney Supp. 1994), in that he had disciplinary action taken against his license 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, specifically:

On or about February 11, 1981, the Respondent agreed to having disciplinary action taken against his license by the New Jersey Board of Medical Examiners. The Respondent was charged in the disciplinary action with having habitually abused intoxicants on or about and between 1975 and January 10, 1981, and, further, that on January 10, 1981 he performed a cystostomy while under the influence of alcohol. The conduct that resulted in the Board initiating the disciplinary action, if committed in New York State, would have constituted professional misconduct under N.Y. Educ. Law Section 6530(7) ("Practicing the profession while impaired by drugs or alcohol.") and N.Y. Educ. Law Section 6530(8) ("Being a habitual abuser of drugs and alcohol.") (McKinney Supp. 1994).

The Board ordered that Respondent remain drug and alcohol free, surrender his State and federal Controlled Dangerous Substances registration, refrain from performing surgery and enroll in a program of psychotherapy. The above conditions were to remain in effect until the Board determined that the limitations on his license should be lifted.

DATED: New York, New York

7/7/94



CHRIS STERN HYMAN
Counsel
Bureau of Professional Medical
Conduct

"EXHIBIT B"

EXHIBIT "B"

TERMS OF PROBATION

1. TIIDO KALLAS, M.D., 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, Corning Tower Building, 4th Floor, Empire State Plaza 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, that 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 or 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. Respondent shall comply with all terms, conditions, restrictions, and penalties to which he is subject pursuant to the order of the Board;
6. Respondent shall not practice medicine in New York State until the New Jersey Board of Medical Examiners has restored his medical license which he surrendered in December, 1993, because of substance abuse.

7. Respondent shall not practice medicine in New York State unless he has satisfied the Director of the Office of Professional Medical Conduct that he is no longer impaired in the practice of medicine due to substance abuse. At a minimum, Respondent must demonstrate that he is in compliance with his program of alcohol rehabilitation and that he has not relapsed into substance abuse since December, 1993. Respondent shall submit to the Office of Professional Medical Conduct proof of his sobriety, including but not limited to monitoring urine and/or blood screens, reports of monitors and practice supervisors appointed pursuant to terms of probation of the New Jersey Board of Medical Examiners, reports of treating substance abuse health care professionals, and any other relevant information pertaining to Respondent's history of substance abuse.
8. Prior to petitioning the Director of the Office of Professional Medical Conduct to practice medicine in New York State, the Respondent agrees to execute releases authorizing the New Jersey Board of Medical Examiners, the Physician's Health Program of the Medical Society of New Jersey, and any substance abuse or program of psychotherapy in which Respondent has participated in since November, 1993, to provide the New York State Health Department with all records pertaining to Respondent's treatment and/or monitoring for substance abuse.
9. At all times during the period of probation:
 - a. Respondent shall remain drug and alcohol free.
 - b. Respondent's sobriety shall be monitored by a health care professional proposed by Respondent but subject to the approval of the Director of the Office of Professional Medical Conduct. Said monitor shall supervise Respondent's compliance with the probationary terms set forth in the Order. Said monitor shall acknowledge his/her willingness to comply with the monitoring by executing and acknowledgement provided by the Office of Professional Medical Conduct.
 - i. Said monitor shall be familiar with Respondent's history of substance abuse, and impairment, with the results of any and all evaluations of Respondent, with reports made to the New Jersey Board of Medical Examiners during his probation in that state and with the terms of probation contained in or annexed to the Consent Order. Said monitor shall not be Respondent's treating physician.
 - ii. Said monitor shall see Respondent at least once per month.
 - iii. Said monitor shall direct Respondent to submit to random, observed, unannounced tests of Respondent's

blood, breath, and/or urine for the presence of drugs or alcohol. Any failure to so comply shall be deemed a violation of probation. Respondent shall comply with said direction. The monitor shall report to the Office of Professional Medical Conduct (the Office) within 24 hours if at any time such a test is refused by Respondent or is positive for drugs or alcohol. During the first year of the period of probation, such random, observed, unannounced tests shall be conducted with a minimum frequency of once per week. Thereafter, said tests shall be conducted with a minimum frequency of twice per month. At all times said monitor shall have discretion and authority to direct such tests with greater than the minimum frequency herein specified.

- iv. Said monitor shall report to the Office a pattern of non-compliance with the terms of probation.
 - v. Said monitor shall not be a personal friend of Respondent's.
 - vi. Said monitor shall submit to the Office quarterly reports either certifying Respondent's compliance, or detailing Respondent's failure to comply, with each of the terms of probation. The reports shall include the results of all body fluid and/or breath tests for drugs and/or alcohol performed during the quarter.
- c. Respondent shall be supervised in his medical practice by a licensed physician who shall be proposed by Respondent but subject to the approval of the Director of the Office of Professional Medical Conduct. Said supervising physician shall be familiar with Respondent's history of substance abuse and impairment, with reports made to the New Jersey Board of Medical Examiners during Respondent's probation in that state, and with the Consent Order and its terms of probation. said supervising physician shall be in a position to observe and assess Respondent's medical practice. Said supervising physician shall acknowledge his/her willingness to comply with the supervision by executing an acknowledgement provided by the Office of Professional Medical Conduct.
- i. Said supervising physician shall have the authority to direct Respondent to submit to unannounced tests of Respondent's blood, breath, and/or urine for the presence of drugs or alcohol. Respondent shall comply with such direction. The supervising physician shall report to the Office within 24 hours if at any time such a test is refused by Respondent or is positive.
 - ii. Said supervising physician shall submit to the office quarterly reports regarding the quality of

Respondent's medical practice, any unexplained absences from work and certifying Respondent's compliance or detailing any failure to comply with each term of probation.

- d. Respondent shall continue in treatment with a health care professional or a treatment program for as long as the health care professional or treatment program determines it is necessary. Respondent shall comply with the treatment regimen prescribed by his treating professional(s).
 - i. Said treating Health Care Professional shall be familiar with Respondent's history of substance abuse, and impairment, with the results of any and all evaluations of Respondent, with reports made to the New Jersey Board of Medical Examiners during his probation in that state and with the terms of probation contained in or annexed to the Consent Order.
 - ii. Respondent's treating health care professional or program shall submit to the Office quarterly reports certifying that Respondent is complying with the treatment.
 - iii. Said treating health care professional or program shall report to the Office immediately if the Respondent drops out of treatment.
 - iv. Said treating health care professional or program shall report to the office any significant pattern of absences.
 - v. Said treating health care professional or program shall acknowledge his/her/its willingness to comply with the above-mentioned reporting by executing an acknowledgement provided by the Office of Professional Medical Conduct.
10. So long as there is full compliance with every term herein set forth, Respondent may continue to practice his or her aforementioned profession in accordance with the terms of probation; provided, however, that upon receipt of evidence of noncompliance with, or any violation of these terms, the Director of the Office of Professional Medical Conduct and/or the Board may initiate a violation of probation proceeding and/or such other proceeding against Respondent as may be authorized pursuant to the Public Health Law.