



STATE OF NEW YORK  
DEPARTMENT OF HEALTH

Corning Tower

The Governor Nelson A. Rockefeller Empire State Plaza

Albany, New York 12237

Barbara A. DeBuono, M.D., M.P.H.  
*Commissioner*

January 8, 1997

**CERTIFIED MAIL - RETURN RECEIPT REQUESTED**

Sylvia P. Finkelstein, Esq.  
NYS Department of Health  
5 Penn Plaza Sixth Floor  
New York, New York 10001

Suriyun Kangsumrith, M.D.  
943 South Power Road  
Mesa, Arizona 85206

**RE: In the Matter of Suriyun Kangsumrith, M.D.**

Dear Ms. Finkelstein and Dr. Kangsumrith:

Enclosed please find the Determination and Order (No. 97-18) of the Hearing Committee in the above referenced matter. This Determination and Order shall be deemed effective upon the receipt or seven (7) days after mailing by certified mail as per the provisions of §230, subdivision 10, paragraph (h) of the New York State Public Health Law.

Five days after receipt of this Order, you will be required to deliver to the Board of Professional Medical Conduct your license to practice medicine if said license has been revoked, annulled, suspended or surrendered, together with the registration certificate. Delivery shall be by either **certified mail or in person** to:

Office of Professional Medical Conduct  
New York State Department of Health  
Hedley Park Place  
433 River Street - Fourth Floor  
Troy, New York 12180

If your license or registration certificate is lost, misplaced or its whereabouts is otherwise unknown, you shall submit an affidavit to that effect. If subsequently you locate the requested items, they must then be delivered to the Office of Professional Medical Conduct in the manner noted above.

As prescribed by the New York State Public Health Law §230, subdivision 10, paragraph (i), and §230-c subdivisions 1 through 5, (McKinney Supp. 1992), "the determination of a committee on professional medical conduct may be reviewed by the Administrative Review Board for professional medical conduct." Either the licensee or the Department may seek a review of a committee determination.

Request for review of the Committee's determination by the Administrative Review Board stays penalties **other than suspension or revocation** until final determination by that Board. Summary orders are not stayed by Administrative Review Board reviews.

All notices of review must be served, by **certified mail**, upon the Administrative Review Board **and** the adverse party within fourteen (14) days of service and receipt of the enclosed Determination and Order.

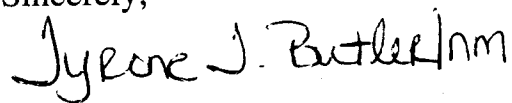
The notice of review served on the Administrative Review Board should be forwarded to:

James F. Horan, Esq., Administrative Law Judge  
New York State Department of Health  
Bureau of Adjudication  
Hedley Park Place  
433 River Street, Fifth Floor  
Troy, New York 12180

The parties shall have 30 days from the notice of appeal in which to file their briefs to the Administrative Review Board. Six copies of all papers must also be sent to the attention of Mr. Horan at the above address and one copy to the other party. The stipulated record in this matter shall consist of the official hearing transcript(s) and all documents in evidence.

Parties will be notified by mail of the Administrative Review Board's  
Determination and Order.

Sincerely,

Handwritten signature of Tyrone T. Butler in black ink.

Tyrone T. Butler, Director  
Bureau of Adjudication

TTB:nm  
Enclosure

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

COPY

IN THE MATTER  
  
-OF-  
  
SURIYUN KANGSUMRITH, M.D.

DECISION  
AND  
ORDER  
OF THE  
HEARING  
COMMITTEE  
BPMC ORDER  
NO. 97- 18

This matter was commenced by a Notice of Hearing and Statement of Charges, both dated October 4, 1996 which were served upon **SURIYUN KANGSUMRITH, M.D.**, (hereinafter referred to as "Respondent"). **F. MICHAEL JACOBIUS, M.D.**, Chairperson, **ROBERT BRUCE BERGMANN, M.D.**, and **RANDOLPH MANNING**, duly designated members of the State Board for Professional Medical Conduct, served as the Hearing Committee in this matter pursuant to Section 230(10)(e) of the Public Health Law. **JONATHAN M. BRANDES, ESQ.**, Administrative Law Judge, served as the Administrative Officer. A hearing was held on November 7, 1996 at 5 Penn Plaza, New York, New York. The State Board For Professional Medical Conduct (hereinafter referred to as "Petitioner") appeared by **HENRY M. GREENBERG, ESQ.**, General Counsel, by **SYLVIA P. FINKELSTEIN, ESQ.**, Associate Counsel, Bureau of Professional Medical Conduct. Respondent did not appear in person but did submit a written statement, which was distributed to the Committee. Evidence was received. A transcript of these proceedings was made.

After consideration of the entire record, the Hearing Committee issues this Decision and Order.

## STATEMENT OF CASE

This case was brought pursuant to Public Health Law Section 230(10)(p). This statute provides for an expedited hearing where a licensee is charged solely with a violation of Section 6530(9) of the Education Law. In such cases, a licensee is charged with misconduct based upon prior professional disciplinary action or criminal conviction. The scope of this expedited hearing is limited to a determination of the nature and severity of the penalty to be imposed by this state upon the licensee based solely upon the record of the previous conviction or discipline.

In the instant case, Respondent is charged with professional misconduct pursuant to the New York State Education Law, Section 6530(9)(d) (having been disciplined by the duly authorized agency of another state). The charges in this proceeding arise from an Order issued by the Board of Medical Examiners of the State of Arizona. The Arizona Order resulted in a fine, and five years of probation with terms. The allegations in this proceeding and the underlying events are more particularly set forth in the Notice of Referral Proceeding and Statement of Charges, a copy of which is attached to this Decision and Order as Appendix One.

## FINDINGS OF FACT

The Committee adopts the factual statements set forth on pages one and two of the Statement of Charges (Appendix One) as its findings of fact and incorporates them herein. Likewise, the Findings of Fact, Conclusions of Law Decree of Censure and Order of Probation are adopted by the Committee and incorporated as findings of fact (Appendix Two).

**CONCLUSIONS**  
**WITH REGARD TO**  
**FACTUAL ALLEGATIONS**  
**AND**  
**PENALTY**

Petitioner herein has proven by a preponderance of the evidence that Respondent was subjected to professional discipline in the state of Arizona. Furthermore, the conduct resulting in the discipline in Arizona would constitute misconduct if committed in New York. Therefore, the Factual Allegations and Specifications in this proceeding are sustained. The Committee now turns its attention to what penalty to impose.

The penalty imposed by Arizona sanctions Respondent for failing to report previous discipline in another state. Hence the Arizona penalty is relatively light. In order to assess Respondent properly, this Committee can and must review the findings of the Arizona authorities and the underlying infraction upon which the Arizona findings were based. A review of Exhibit 3, the Arizona decision, the Committee finds that Respondent failed to report to Arizona that he had surrendered his DEA Certification and the parallel certification issued by the state of Alabama. The surrender came about because Respondent had been dispensing controlled and non-controlled substances to known addicts in Alabama.

There is no place in the medical community of this state for persons who abuse the privilege of prescribing controlled substances. Lying in response to a clear and unequivocal question by state authorities simply amplifies the contempt in which Respondent is found by this body. Revocation is the only sensible penalty under the facts presented.

**ORDER**


WHEREFORE, Based upon the preceding facts and conclusions,

It is hereby **ORDERED** that:

1. The Factual allegations in the Statement of Charges are **SUSTAINED**;  
Furthermore, it is hereby **ORDERED** that;
2. The Specifications of Misconduct contained within the Statement of Charges (Appendix One) are **SUSTAINED**;  
Furthermore, it is hereby **ORDERED** that;
3. The license of Respondent to practice medicine in the state of New York is hereby **REVOKED**;  
Furthermore, it is hereby **ORDERED** that;
4. This order shall take effect **UPON RECEIPT** or **SEVEN (7) DAYS** after mailing of this order by Certified Mail.

**Dated:**  
**North Salem, New York**

January 3, 1997

  
**F. MICHAEL JACOBIUS, M.D., Chairperson**  
**ROBERT BRUCE BERGMANN, M.D.**  
**RANDOLPH MANNING**



TO:

**SYLVIA P. FINKELSTEIN, ESQ.**  
Associate Counsel  
Bureau of Professional Medical Conduct  
5 Penn Plaza, suite 601  
New York, N.Y. 10001

**SURIYUN KANGSUMRITH, M.D.**  
943 South Power Rd.  
Mesa, Arizona 85206



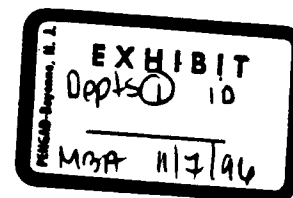
**APPENDIX ONE**

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

IN THE MATTER  
OF  
SURIYUN KANGSUMRITH, M.D.

NOTICE OF  
REFERRAL  
PROCEEDING

TO: SURIYUN KANGSUMRITH, M.D.  
943 South Power Road  
Mesa, Arizona 85206



PLEASE TAKE NOTICE THAT:

An adjudicatory proceeding will be held pursuant to the provisions of N.Y. Pub. Health Law §§230(10)(p) (McKinney Supp. 1996) and N.Y. State Admin. Proc. Act §§301-307 and 401 (McKinney 1984 and Supp. 1996). The proceeding will be conducted before a committee on professional conduct of the State Board for Professional Medical Conduct (Committee) on November 7, 1996, at 10:00 a.m., at the offices of the New York State Department of Health, 5 Penn Plaza, Sixth Floor, New York, New York 10001.

At the proceeding, evidence will be received concerning the allegations set forth in the Statement of Charges, which is attached. A stenographic record of the proceeding will be made and the witnesses at the proceeding will be sworn and examined.

You may appear in person at the proceeding and may be represented by counsel. You may produce evidence or sworn testimony on your behalf. Such evidence or sworn testimony shall be strictly limited to evidence and testimony relating to the nature and severity of the penalty to be imposed upon the licensee. Where the charges are based on the conviction of state law crimes in other jurisdictions, evidence may be offered which would show that the conviction would not be a crime in New York State. The Committee also may limit the number of witnesses whose testimony will be received, as well as the length of time any

witness will be permitted to testify.

If you intend to present sworn testimony, the number of witnesses and an estimate of the time necessary for their direct examination must be submitted to the New York State Department of Health, Division of Legal Affairs, Bureau of Adjudication, Corning Tower Building, 25th Floor, Empire State Plaza, Albany, New York 12237, ATTENTION: HON. TYRONE BUTLER, DIRECTOR, BUREAU OF ADJUDICATION, (henceforth "Bureau of Adjudication") as well as the Department of Health attorney indicated below, no later than twenty days prior to the scheduled date of the Referral Proceeding, as indicated above.

You may file a written answer, brief, and affidavits with the Committee. Six copies of all papers you wish to submit must be filed with the Bureau of Adjudication at the address indicated above, no later than fourteen days prior to the scheduled date of the Referral Proceeding, and a copy of all papers must be served on the same date on the Department of Health attorney indicated below. Pursuant to §301(5) of the State Administrative Procedure Act, the Department, upon reasonable notice, will provide at no charge a qualified interpreter of the deaf to interpret the proceedings to, and the testimony of, any deaf person.

The proceeding may be held whether or not you appear. Please note that requests for adjournments must be made in writing to the Bureau of Adjudication, at the address indicated above, with a copy of the request to the attorney for the Department of Health, whose name appears below, at least five days prior to the scheduled date of the proceeding. Adjournment requests are not routinely granted. Claims of court engagement will require detailed affidavits of actual engagement. Claims of illness will require medical documentation. Failure to obtain an attorney within a reasonable period of time prior to the proceeding will not be grounds for an adjournment.

The Committee will make a written report of its findings, conclusions as to guilt, and a determination. Such determination may be reviewed by the

administrative review board for professional medical conduct.

SINCE THESE PROCEEDINGS MAY RESULT IN A  
DETERMINATION THAT SUSPENDS OR REVOKES YOUR  
LICENSE TO PRACTICE MEDICINE IN NEW YORK STATE  
AND/OR IMPOSES A FINE FOR EACH OFFENSE  
CHARGED, YOU ARE URGED TO OBTAIN AN ATTORNEY  
TO REPRESENT YOU IN THIS MATTER.

DATED: New York, New York  
October 7, 1996



ROY NEMERSON  
Deputy Counsel  
Bureau of Professional  
Medical Conduct

Inquiries should be addressed to:

Silvia P. Finkelstein  
Associate Counsel  
NYS Department of Health  
Division of Legal Affairs  
5 Penn Plaza, Suite 601  
New York, New York 10001  
(212) 613-2615

IN THE MATTER  
OF  
SURIYUN KANGSUMRITH, M.D.

STATEMENT  
OF  
CHARGES

SURIYUN KANGSUMRITH, M.D., the Respondent, was authorized to practice medicine in New York State on or about January 22, 1973, by the issuance of license number 115178 by the New York State Education Department.

**FACTUAL ALLEGATIONS**

- A. On or about October 17, 1995, the Board of Medical Examiners of the State of Arizona (Arizona Board) issued an order, after hearing, that Respondent, a physician specializing in surgery, violated Arizona Revised Statutes §§ 32-1401(25)(t) [knowingly making any false or fraudulent statement, written or oral, in connection with the practice of medicine] and (25)(jj) [knowingly making a false or misleading statement to the board or on a form required by the board or in a written correspondence, including attachments, with the board], in that Respondent made false and misleading statements in his renewal application for his Arizona medical license. The penalty imposed upon respondent consisted of censure, a fine in the sum of one thousand (\$1000) dollars, and 5 years probation under conditions which include: (1) during the period of probation Respondent shall not possess or apply for a DEA registration; (2) Respondent shall participate in a 30 hour mini-residency in the field of pharmacology, particularly in the area of appropriate prescribing

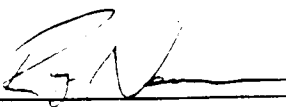
of narcotics to known drug addicts; (3) Respondent shall participate in a 5 hour mini-residency regarding the legal and ethical aspects of completing applications for licensure and staff privileges. If committed in New York, Respondent's conduct would constitute professional misconduct under N.Y. Educ. Law §§ 6530(2) [practicing the profession fraudulently] and 6530(21) [willfully making or filing a false report ... required by law or by the department of health].

**SPECIFICATION**  
**HAVING BEEN FOUND GUILTY OF**  
**PROFESSIONAL MISCONDUCT**

Respondent is charged with committing professional misconduct as defined in N.Y. Educ. Law §6530(9)(b)(McKinney Supp. 1996) by 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 under the laws of New York state [namely N.Y. Educ. Law §§ 6530(2) and (21) as alleged in the facts of the following:

2. Paragraph A

DATED: October 4, 1996  
New York, New York



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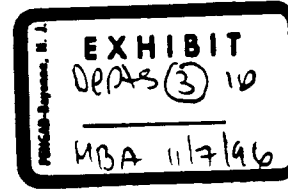
ROY NEMERSON  
Deputy Counsel  
Bureau of Professional  
Medical Conduct

**APPENDIX TWO**



# ARIZONA BOARD OF MEDICAL EXAMINERS

**FIFE SYMINGTON**  
 GOVERNOR  
**RICHARD D. ZONIS, M.D.**  
 CHAIRMAN  
**PHILIP E. KEEN, M.D.**  
 VICE CHAIRMAN  
**PAMELA RANDOLPH, RN, MSN**  
 SECRETARY  
**MARK R. SPEICHER**  
 EXECUTIVE DIRECTOR  
**ELAINE HUGUNIN**  
 DEPUTY DIRECTOR



NEW YORK DEPT. OF HEALTH  
 OFFICE OF HEALTH SYSTEMS MANAGEMENT  
 CORNING TOWER  
 NAR EMPIRE STATE PLAZA  
 ALBANY, NY 12237

**Physician:** SURIYUN KANGSUMRITH, M.D.  
**Office Location:** Mesa, Arizona  
**License:** 15115  
**Date Issued:** 01/02/1985  
**Licensed by:** ENDORSEMENT,  
 FLEX/NEW YORK  
**Date of Birth:** 09/08/1938  
**Medical School:** FACULTY OF MEDICINE AT SIRIRAJ HOSPITAL, MAHIDOL  
 UNIVERSITY  
 BANGKOK, THAILAND  
**Graduation year:** 04/06/1962  
**License Status:** Active  
**License Expires:** 01/01/1997

Post-Grad. Information:				
Type	Speciality 1	Speciality 2	Start	Finish
Residency	General Surgery		7/01/64	6/30/65
	VETERANS AFFAIRS MEDICAL CENTER FORT HOWARD, MD			
Internship			7/01/63	6/30/64
	BON SECOURS HOSPITAL BALTIMORE, MD			
Residency	General Surgery		7/01/66	6/30/70
	WYCKOFF HEIGHTS HOSPITAL BROOKLYN, NEW YORK			

This is to certify that the above-named physician is licensed to practice medicine in Arizona. There are Board actions regarding this physician.

*Carole Nelson*  
 Verification Division

Date: 04/23/1996

To expedite the Board's verification process, the above format is the standard format prepared for physicians licensed by this agency. Any Board actions regarding this licensee are attached to this form. If you have any further questions, please contact our office.



BEFORE THE BOARD OF MEDICAL EXAMINERS  
OF THE STATE OF ARIZONA

In the Matter of	)	
	)	
<b>SURIYUN KANGSUMRITH, M.D.</b>	)	<b>FINDINGS OF FACT,</b>
	)	<b>CONCLUSIONS OF LAW,</b>
Holder of License No. <b>15115</b>	)	<b>DECREE OF CENSURE</b>
For the Practice of Medicine	)	<b>AND ORDER OF PROBATION</b>
In the State of Arizona.	)	
<hr/>		

SURIYUN KANGSUMRITH, M.D., holder of License No. 15115 for the practice of medicine in the State of Arizona, appeared before the Arizona Board of Medical Examiners ("Board") for an informal interview on October 17, 1995. Based on the information presented, the Board adopted the following Findings of Fact, Conclusions of Law and Order:

**FINDINGS OF FACT**

1. SURIYUN KANGSUMRITH, M.D., is the holder of License No. 15115 for the practice of medicine in the State of Arizona.
2. On December 3, 1992, Dr. KANGSUMRITH signed a renewal application for his Arizona medical license. In that renewal application, Dr. KANGSUMRITH answered "No" to the questions that ask "Has any action, including any disciplinary action or limitation or restriction, or any agreement for any reason including rehabilitation been taken or entered by a licensing board?" and "Has there been any denial, restriction, suspension or loss/revocation of your DEA or state prescription permit?"

3. In fact, on May 8, 1992, Dr. KANGSUMRITH surrendered his DEA certification and his Alabama State Controlled Substances Registration Certificate.

4. The circumstances underlying those surrenders were that Dr. KANGSUMRITH and one of his employees were dispensing controlled and non-controlled substances in the form of Tylenol #3, Darvocet, Hydrocodone and Lortabs from an office in Saraland, Alabama to known drug addicts and without proper medical examinations. After a joint investigation of the Alabama medical board and the DEA, Dr. KANGSUMRITH surrendered all controlled substances in his possession and executed a DEA Form 104 surrendering in his DEA certification in which Dr. KANGSUMRITH checked the box which indicates the reason for surrender and which reads "In view of my alleged failure to comply with the Federal requirements pertaining to controlled substances, and as an indication of my good faith in desiring to remedy any incorrect or unlawful practices on my part".

5. After obtaining the surrender of his DEA certification and the Alabama State Controlled Substances Registration Certificate, the State of Alabama did not take any disciplinary action against Dr. KANGSUMRITH.

6. The State of New York, another state in which Dr. KANGSUMRITH is licensed, learned about Dr. KANGSUMRITH's surrender of his controlled substances privileges in Alabama and, when the New York board found out that Alabama did not take any disciplinary action against Dr. KANGSUMRITH, it elected not to take any disciplinary action.

7. In December 1993, in anticipation of obtaining a job with the Public Health Service, Dr. KANGSUMRITH completed an application for DEA certification, using his home address in Mesa on the application. At the time of the submission of that application, Dr. KANGSUMRITH had declared to the Board

of Medical Examiners that he was retired from practice in all states in which he is licensed.

### CONCLUSIONS OF LAW

1. This matter is within the jurisdiction of the Board of Medical Examiners as Dr. KANGSUMRITH is the holder of a license issued by the Board.

2. Dr. KANGSUMRITH's actions on December 3, 1992, wherein Dr. KANGSUMRITH answered "no" to the question on the renewal application he completed on that date which reads: "Has any action, including any disciplinary action or limitation or restriction, or any agreement for any reason including rehabilitation been taken or entered by a licensing board" when Dr. KANGSUMRITH's ability to prescribe or dispense controlled substances in the State of Alabama had been surrendered by him in May 1992, which surrender constitutes a limitation and restriction on his ability to practice medicine in the State of Alabama, constitutes a violation of A.R.S. § 32-1401 (24)(t)<sup>1</sup> and (jj)<sup>2</sup> as such "no" answer constitutes the making of a false, misleading or fraudulent statement in connection with the practice of medicine and a false statement on a form required by the Board.

3. Dr. KANGSUMRITH's actions on December 3, 1992, wherein Dr. KANGSUMRITH answered "no" to the question on the renewal application he completed on that date which reads: "Has there been any denial, restriction, suspension or loss/revocation of your DEA or state prescription permit" when Dr. KANGSUMRITH's ability to prescribe or dispense controlled substances had been surrendered by him in May 1992, by his execution of a DEA Form 104, which surrender constitutes a loss of his DEA prescription permit, constitutes a violation

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<sup>1</sup> Now A.R.S. § 32-1401(25)(t).

<sup>2</sup> Now A.R.S. § 32-1401(25)(jj).

of A.R.S. § 32-1401(24)(t) and (j) as such "no" answer constitutes the making of a false, misleading or fraudulent statement in connection with the practice of medicine and a false statement on a form required by the Board.

4. Dr. KANGSUMRITH's violation of A.R.S. § 32-1401(24)(j)<sup>3</sup> constitutes unprofessional conduct in that dispensing controlled and non-controlled substances in the form of Tylenol #3, Darvocet, Hydrocodone and Lortabs from an office in Saraland, Alabama to known drug addicts and without proper medical examinations constitutes prescribing, dispensing or administering any controlled substance or prescription-only drug for other than accepted therapeutic purposes.

5. Dr. KANGSUMRITH's unprofessional conduct constitutes grounds on which the Board may suspend or revoke Dr. KANGSUMRITH's license to practice medicine in the State of Arizona.

### **ORDER**

Based on the foregoing Findings of Fact and Conclusions of Law, IT IS ORDERED:

1. Dr. KANGSUMRITH is hereby censured.
2. Dr. KANGSUMRITH shall pay to the Board a civil penalty in the amount of one thousand dollars (\$1,000.00).
3. Dr. KANGSUMRITH is placed on probation for a period of five (5) years, with the following terms:
  - a. Dr. KANGSUMRITH shall not possess or apply for a DEA registration.
  - b. Dr. KANGSUMRITH shall participate in a thirty (30) hour mini-residency in the field of

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<sup>3</sup> Now A.R.S. § 32-1401(25)(j).

pharmacology, particularly in the area of the appropriate prescribing of narcotics to known drug addicts.

- c. Dr. KANGSUMRITH shall participate in a five (5) hour mini-residency regarding the legal and ethical aspects of completing applications for licensure and staff privileges.

DATED this 17th day of October, 1995.

BOARD OF MEDICAL EXAMINERS  
OF THE STATE OF ARIZONA

[ S E A L ]

By   
MARK R. SPEICHER  
Executive Director

COPY of the foregoing Findings of Fact,  
Conclusions of Law and Order mailed by  
Certified Mail this 3rd day of November, 1995  
to:

Suriyun Kangsumrith, M.D.  
Post Office Box 6183  
Mesa, Arizona 85216

COPY of the foregoing Findings of Fact,  
Conclusions of Law and Order mailed  
this 3rd day of November, 1995 to:

Duane A. Olson, Esq.  
Weyl, Guyer, MacBan & Olson, P.A.  
7243 N. 16th St.  
P.O. Box 47250  
Phoenix, Arizona 85068-7250

COPY of the foregoing Findings of Fact,  
Conclusions of Law and Order delivered  
this 3<sup>rd</sup> day of November, 1995 to:

James M. McGee  
Assistant Attorney General  
1651 E. Morten Ave., Suite 210  
Phoenix, Arizona 85020-4160

  
Secretary

BH952910005

**REPORT OF INVESTIGATION**

1. PROGRAM CODE	2. CROSS FILE <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	RELATED FILES	3. FILE NO. MN-94-2013	4. G-DEP IDENTIFIER HAN71
5. BY: Barbara Roberts, D/I AT: Phoenix DO Diversion Group		6. FILE TITLE KANGSUMRITH, Suriyun, M.D.	8. DATE PREPARED 03-16-94	
7. <input type="checkbox"/> Closed <input type="checkbox"/> Requested Action Completed <input type="checkbox"/> Action Requested By:	<div style="border: 1px solid black; padding: 5px; display: inline-block;">                 RECEIVED                  OFFICE OF PROFESSIONAL                  MEDICAL CONDUCT             </div>			
9. OTHER OFFICERS:				
10. REPORT RE: Request for Order to Show Cause (PM30) (A)				

DETAILS:

1. An Order to Show Cause is requested to deny the Application for Registration (DEA 224) submitted by Suriyun KANGSUMRITH, M.D., P.O. Box 6183, 725 South Power Road, Mesa, AZ 85216 (CO24062104) due to the material falsification of the application. Dr. KANGSUMRITH answered, "No" to liability questions 4(b) and 4(c) on the DEA 224 dated 12-28-93 (ATTACHMENT A).
2. Dr. KANGSUMRITH previously held DEA number AK3142673 with a registered address of 200 B Highway 43, Saraland, Alabama 36571 and DEA number BK2417067 with a registered address of 3063 Cottage Hill Road, Mobile, Alabama 36606. Both registrations were surrendered on May 8, 1992 with a Code 1 entered in M204 by D/I Linda Traub of the Mobile, Alabama RO. A copy of the DEA 104 is attached (ATTACHMENT B).
3. D/I Barbara Roberts contacted D/I Traub who forwarded DEA 6's detailing Mobile investigation GQ-91-2004. These reports are attached. The Mobile investigation regarding the illegal distribution of controlled substances by Dr. KANGSUMRITH and his employees was ongoing when information was received from a Cooperating Individual that Dr. KANGSUMRITH had closed his office and was leaving the country. On May 7, 1994, D/I Traub and Alabama State Board of Medical Examiners Investigators went to Dr. KANGSUMRITH's office in Mobile, and were advised that Dr. KANGSUMRITH had removed all controlled substances to his residence. On May 3, 1994, the investigators met with Dr. KANGSUMRITH at his residence. Dr. KANGSUMRITH surrendered his Alabama medical license and State controlled substance registration, as well as his DEA registration. All controlled substances were inventoried by D/I Traub and surrendered to DEA. D/I Traub has advised D/I Roberts that it is impossible to do an accountability investigation based on the records provided by Dr. KANGSUMRITH.
4. Upon receipt of Dr. KANGSUMRITH's current application for registration, D/I Roberts contacted the Arizona Board of Medical Examiners regarding the status of Dr. KANGSUMRITH's medical license. Investigator Tim Keene has provided copies of Dr. KANGSUMRITH's license

11. DISTRIBUTION: AMRI; ODOD REGION	12. SIGNATURE (Agent) <i>Barbara Roberts</i>	13. DATE 3-17-94
DISTRICT  OTHER	14. APPROVED (Name and Title) <i>Thomas C. Sabieko</i> Thomas C. Sabieko, Group Supervisor	15. DATE

DEA Form 6  
(May 1980)

03-25-94 JM

DEA SENSITIVE  
DRUG ENFORCEMENT ADMINISTRATION

This report is the property of the Drug Enforcement Administration.  
Neither it nor its contents may be disseminated outside the agency to which loaned.  
Previous edition may be used.



<b>REPORT OF INVESTIGATION</b> (Continuation)	1. FILE NO. MN-94-2013	2. G-DEP IDENTIFIER HAN71
	3. FILE TITLE KANGSUMRITH, Suriyun, M.D.	
4. Page 2 of 2	6. DATE PREPARED 03-16-94	
5. PROGRAM CODE		

renewal applications for 1993 and 1994. Both renewal applications (Attachments D and E) indicate that Dr. KANGSUMRITH is retired and requests an inactive status on his Arizona license. Additionally, on both applications, Dr. KANGSUMRITH answered, "No" to question 2, which asks if there has been any denial, restriction, suspension, or loss/revocation of your DEA or state prescription permit. Investigator Keene further provided a letter he received from the Alabama State Board of Medical Examiners, verifying the surrender by Dr. KANGSUMRITH of his Alabama State controlled substances registration (Attachment F).

5. Based on the above, the Phoenix Division requests an Order to Show Cause to deny the registration of Suriyun KANGSUMRITH, M.D., based on the material falsification of the DEA 224, Application for Registration as a practitioner in Schedules II, IIN, III, IIIN, IV, and V.

ATTACHMENTS:

- A. DEA 224
- B. DEA 6 Re: Surrender of DEA State Controlled Substances Registration and Controlled Drugs with Attached DEA 104:
- C. Nine DEA 6's from Mobile RO
- D. Arizona License Renewal Application due February 1, 1993
- E. Arizona License Renewal Application due February 1, 1994
- F. Alabama State Board of Medical Examiners letter dated February 16, 1994, by Ed Munson, Coordinator of Investigations.

INDEXING:

- 1. KANGSUMRITH, Suriyun NADDIS 2161203

**APPLICATION FOR REGISTRATION UNDER CONTROLLED SUBSTANCES ACT OF 1970**

Please PRINT or TYPE all entries

No registration may be issued unless a completed application form has been received (21 CFR 1301.21).

REGISTRATION CLASSIFICATION: Submit Check or Money Order Payable to the DRUG ENFORCEMENT ADMINISTRATION in the amount of \$60.00 (3 year registration period)

1. BUSINESS ACTIVITY: (Check ONE only)

- A RETAIL PHARMACY
- B HOSPITAL/CLINIC
- C PRACTITIONER
- D TEACHING INSTITUTION (Instructional purposes only)
- FEE MUST ACCOMPANY APPLICATION

- SCHEDULE I:  Schedule I,  Schedule II,  Schedule III,  Schedule IV,  Schedule V
- SCHEDULE II:  Schedule II,  Schedule III,  Schedule IV,  Schedule V
- SCHEDULE III:  Schedule III,  Schedule IV,  Schedule V
- SCHEDULE IV:  Schedule IV,  Schedule V
- SCHEDULE V:  Schedule V

ALL APPLICANTS MUST ANSWER THE FOLLOWING:

1. Are you currently authorized to prescribe, distribute, dispense, conduct research, buy or otherwise handle the controlled substances in the schedules for which you are applying, under the laws of the State or jurisdiction in which you are operating or propose to operate?  
 YES - State License No. 125715  
 Not Applicable  
 Pending  
 YES - State Controlled Substance No.             
 Not Applicable  
 Pending

(b) Has the applicant ever been convicted of a crime in connection with controlled substances under State or Federal law, or ever surrendered or had a Federal controlled substance registration revoked, suspended, restricted or denied, or ever had a State professional license or controlled substance registration revoked, suspended, denied, restricted or placed on probation?  
 YES  
 NO

(c) If the applicant is a corporation (other than a corporation whose stock is owned and traded by the public), association, partnership, or pharmacy, has any officer, partner, stockholder or proprietor been convicted of a crime in connection with controlled substances under State or Federal law, or ever surrendered or had a Federal controlled substance registration revoked, suspended, restricted or denied, or ever had a State professional license or controlled substance registration revoked, suspended, denied, restricted or placed on probation?  
 YES  
 NO  
 NOT APPLICABLE

IF THE ANSWER TO QUESTIONS 1(b) or (c) is YES, include a statement using the space provided on the REVERSE of this part.

Print or Type Name Here: SUDAYAN KALASORATH Applicant's Business Phone No. 602 641 1703  
 Signature of applicant or authorized individual: [Signature]  
 Date: 12/28/93

Title (If the applicant is a corporation, institution, or other entity, enter the TITLE of the person signing on behalf of the applicant (i.e., President, Dean, Procurement Officer, etc...))

PROPOSED BUSINESS ADDRESS  
PO BOX 6183  
725 S POWER ROAD  
MESA AZ 85216

CITY STATE ZIP CODE

DRUG ENFORCEMENT ADMINISTRATION  
 CENTRAL STATION  
 P. O. Box 28083  
 WASHINGTON, D.C. 20038-8083  
 For INFORMATION, Call: (202) 307-7255

See "Privacy Act" Information on reverse

THIS BLOCK FOR DEA USE ONLY  
102462104

5. CERTIFICATION FOR FEE EXEMPTION  
 CHECK THIS BLOCK IF INDIVIDUAL NAMED HEREON IS A FEDERAL, STATE, OR LOCAL OFFICIAL.  
 The undersigned hereby certifies that the applicant herein is an officer or employee of a Federal, State or local agency who, in the course of such employment, is authorized to obtain, dispense, or prescribe controlled substances or is authorized to conduct research, instructional activity or practical activity with controlled substances, and is exempt from the payment of this application fee.

Signature of Certifying Official \_\_\_\_\_ Date \_\_\_\_\_

Print or Type Name \_\_\_\_\_

Print or Type Title \_\_\_\_\_

Name of Institution or Agency \_\_\_\_\_

WARNING: SECTION 843(a)(4) OF TITLE 21, UNITED STATES CODE, STATES THAT ANY PERSON WHO KNOWINGLY OR INTENTIONALLY FURNISHES FALSE OR FRAUDULENT INFORMATION IN THIS APPLICATION IS SUBJECT TO IMPRISONMENT FOR NOT MORE THAN FOUR YEARS, A FINE OF NOT MORE THAN \$30,000.00 OR BOTH.

Mail the Original and 1 copy with FEE to the above address. Retain 3rd copy for your records.

ACH CHECK HERE

SEE REVERSE FOR  
PRIVACY ACT  
INFORMATION

VOLUNTARY SURRENDER OF CONTROLLED  
SUBSTANCES PRIVILEGES

DEA USE ONLY

FILE NO. ATQ 91 2004

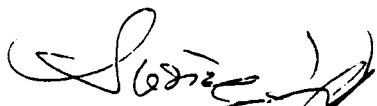
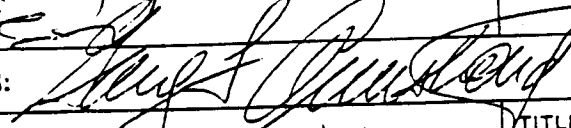
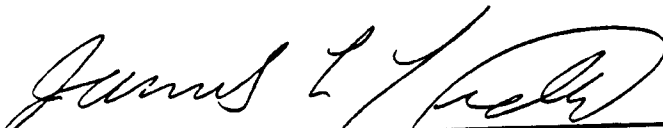
After being fully advised of my rights, and understanding that I am not required to surrender my controlled substances privileges, I freely execute this document and choose to take the actions described herein.

- In view of my alleged failure to comply with the Federal requirements pertaining to controlled substances, and as an indication of my good faith in desiring to remedy any incorrect or unlawful practices on my part;
- In view of my desire to terminate handling of controlled substances listed in schedule(s) \_\_\_\_\_;

I hereby voluntarily surrender my Drug Enforcement Administration Certificate of Registration, unused order forms, and all my controlled substances listed in schedule(s) \_\_\_\_\_ as evidence of my agreement to relinquish my privilege to handle controlled substances listed in schedule(s) \_\_\_\_\_. Further, I agree and consent that this document shall be authority for the Administrator of the Drug Enforcement Administration to terminate and revoke my registration without an order to show cause, a hearing, or any other proceedings, (and if not all controlled substances privileges are surrendered, be issued a new registration certificate limited to schedule(s) \_\_\_\_\_).

I waive refund of any payments made by me in connection with my registration.

I understand that I will not be permitted to order, manufacture, distribute, possess, dispense, administer, prescribe, or engage in any other controlled substance activities whatever, until such time as I am again properly registered.

NAME OF REGISTRANT (Print) <u>KANGSUNATH SURIYUN</u> <u>3063 COTTAGE HILL RD</u> <u>MOBILE AL 36688</u>		ADDRESS OF REGISTRANT <u>PO 2234</u> <u>DAPHNE AL 36526</u>	
SIGNATURE OF REGISTRANT OR AUTHORIZED INDIVIDUAL 		DATE <u>5/8/92</u>	DEA REGISTRATION NO. <u>BK 2417067</u> <u>AK 3142673</u>
WITNESSES: 			
NAME AND DATE <u>Linda T. Traub</u> <u>5/8/92</u>		TITLE <u>Division Director</u>	
NAME AND DATE 		TITLE <u>Investigator</u>	