



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 17, 1997

CERTIFIED MAIL-RETURN RECEIPT REQUESTED

Ephraim M. Katz, M.D.
1 Patricia Place
Yonkers, NY 10704

RE: License No. 043448

Dear Dr. Katz:

Enclosed please find Order #BPMC 97-310 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: Steven M. Rabinowitz
Pryor, Cashman, Sherman & Flynn
410 Park Avenue
New York, NY 10022-4441

Roy Nemerson, Esq.

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

IN THE MATTER
OF
EPHRAIM MURRAY KATZ, M.D.

SURRENDER
ORDER

BPMC #97-310

Upon the proposed agreement of EPHRAIM MURRAY KATZ, M.D.
(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: 12/12/97


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
EPHRAIM MURRAY KATZ, M.D.

SURRENDER
OF
LICENSE

STATE OF NEW YORK)
COUNTY OF) ss.:

EPHRAIM MURRAY KATZ, M.D., being duly sworn, deposes and says:

On or about October 2, 1945, I was licensed to practice medicine as a physician in the State of New York having been issued License No. 043448 by the New York State Education Department.

My home address is 1 Patricia Place, Yonkers, N.Y. 10704, 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 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 agree not to contest ^{first} the specifications, 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.

Ephraim Murray Katz

 EPHRAIM MURRAY KATZ, M.D.
 RESPONDENT

Sworn to before me this
 14th day of *August*, 1997

R.M. Bethel

 NOTARY PUBLIC

RICHARD M. BETHEL
 Notary Public, State of New York
 No. 02BE4735223
 Qualified in Westchester County
 Commission Expires May 31, 1999

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

Date: 11/17/97


STEPHEN RABINOWITZ, Esq.
Attorney for Respondent

Date: 11/26/97


ROY NEMERSON
Deputy Counsel
Bureau of Professional
Medical Conduct

Date: 12/10/97


ANNE F. SAILE
Director
Office of Professional Medical Conduct

IN THE MATTER
OF
EPHRAIM MURRAY KATZ, M.D.

STATEMENT
OF
CHARGES

EPHRAIM MURRAY KATZ, M.D., the Respondent, was authorized to practice medicine in New York State on or about October 2, 1945, by the issuance of license number 043448 by the New York State Education Department.

FACTUAL ALLEGATIONS

- A. On or about October 21, 1996, at Respondent's medical office located at 1870 Grand Concourse, Bronx, NY 10457, in the course of a purported physical examination Respondent touched Patient A's (Patient A is identified in Appendix "A", attached) breast for other than a bona fide medical purpose.

SPECIFICATION OF CHARGES

FIRST SPECIFICATION

EXCESSIVE TESTS/TREATMENT

Respondent is charged with committing professional misconduct as defined in N.Y. Educ. Law §6530(35)(McKinney Supp. 1997) by ordering of excessive tests, treatment, or use of treatment facilities not warranted by the condition of the patient, as alleged in the facts of:

1. Paragraph A.

EXHIBIT "A"

SECOND SPECIFICATION

FRAUDULENT PRACTICE

Respondent is charged with committing professional misconduct as defined by N.Y. Educ. Law §6530(2)(McKinney Supp. 1997) by practicing the profession of medicine fraudulently as alleged in the facts of the following:

2. Paragraph A.

DATED: July , 1997
New York, New York

ROY NEMERSON
Deputy Counsel
Bureau of Professional
Medical Conduct