

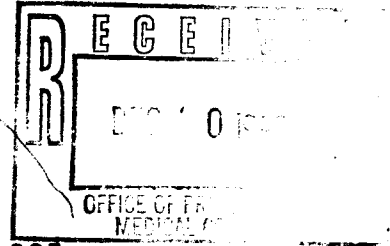


# STATE OF NEW YORK DEPARTMENT OF HEALTH

Corning Tower The Governor Nelson A. Rockefeller Empire State Plaza Albany, New York 12237

Mark R. Chassin, M.D., M.P.P., M.P.H.  
Commissioner

Paula Wilson  
Executive Deputy Commissioner



December 24, 1993

**CERTIFIED MAIL - RETURN RECEIPT REQUESTED**

Jeffrey Armon, Esq.  
NYS Department of Health  
Bureau of Professional Medical Conduct  
Empire State Plaza  
Corning Tower - Room 2438  
Albany, New York 12237

George T. Lee, M.D.  
c/o Tunas (Pte.) Ltd.  
70 Anson Road  
Apex Tower, 27th Floor  
Singapore 0207

**RE: In the Matter of George T. Lee, M.D.**

Dear Mr. Armon and Dr. Lee:

Enclosed please find the Determination and Order (No. BPMC-93-205) of the Hearing Committee in the above referenced matter. This Determination and Order shall be deemed effective upon 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required to deliver to the Board of Professional Medical Conduct your license to practice medicine if said license has been revoked, annulled, suspended or surrendered, together with the registration certificate.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:**

New York State Department of Health  
Office of Professional Medical Conduct  
Corning Tower - Fourth Floor (Room 438)  
Empire State Plaza  
Albany, New York 12237

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 than 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 (p), and §230-c subdivisions 1 through 5, (McKinney Supp. 1992), "(t)he 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 all action 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.

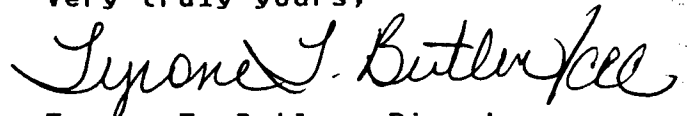
The notice of review served on the Administrative Review Board should be forwarded to:

James F. Horan, Esq., Administrative Law Judge  
New York State Department of Health  
Bureau of Adjudication  
Corning Tower -Room 2503  
Empire State Plaza  
Albany, New York 12237-0030

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.

Very truly yours,

A handwritten signature in cursive script that reads "Tyrone T. Butler". The signature is written in black ink and is positioned above the typed name and title.

Tyrone T. Butler, Director  
Bureau of Adjudication

TTB:crc  
Enclosure

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

-----X  
IN THE MATTER ;  
OF ;  
GEORGE T. LEE, M.D. ;  
-----X

DETERMINATION  
AND  
ORDER  
OF THE  
HEARING COMMITTEE  
ORDER NO.  
BPMC-93-205

A Notice of Hearing and Statement of Charges dated October 7, 1993 were served upon **GEORGE T. LEE, M.D.** (hereinafter referred to as "Respondent"). The undersigned Hearing Committee consisting of **DENISE BOLAN, R.P.A.**, Chairperson, **HOWARD SOHNEN, M.D.** and **BERNARD POLLARA, M.D.**, was duly designated and appointed by the State Board for Professional Medical Conduct. **JONATHAN M. BRANDES, ESQ.**, Administrative Law Judge, served as Administrative Officer.

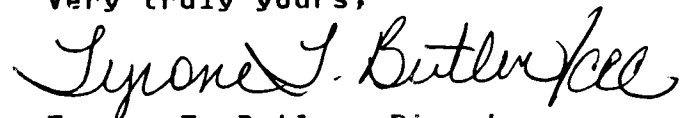
A hearing was conducted on December 1, 1993 pursuant to §230 (10)(e) of the Public Health Law and §301-307 and §401 of the New York State Administrative Procedure Act to receive evidence concerning alleged violations of Section 6530 of the New York Education Law by Respondent. The hearing was held at the Justice Building, Court Room 2, Empire State Plaza, Albany, New York.

The Department of Health appeared by Jeffrey J. Armon, Esq., of counsel to Peter J. Millock, Esq., General Counsel.

Respondent neither appeared in person nor by counsel. Respondent submitted a letter which was introduced into evidence by Petitioner and received into evidence as exhibit 8. Evidence was received and a transcript of this proceeding was made.

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

Very truly yours,

A handwritten signature in cursive script that reads "Tyrone T. Butler". The signature is written in dark ink and is positioned above the typed name.

Tyrone T. Butler, Director  
Bureau of Adjudication

TTB:crc  
Enclosure

## FINDINGS OF FACT

The following Findings of Fact were made after a review of the entire record in this matter. The findings are derived from evidence found persuasive by the Hearing Committee. Conflicting evidence, if any was considered and rejected.

1. Respondent, was authorized to practice medicine in New York State on September 16, 1977 by the issuance of license number 132306 by the New York State Education Department. Respondent is not currently registered with the New York State Education Department to practice medicine. His current address is C/O Tunas (Pte) Ltd., 70 Anson Road, Apex Tower, 27th Floor, Singapore 0207.

2. On May 3, 1991, a judgement in a criminal case was entered against Respondent in the United States District Court in New Jersey following a trial in which he was convicted of two counts of mail fraud ( 18 U.S.C. 1341), three counts of making false statements (42 U.S.C. 1399 nn (9)), and four counts of making false or fraudulent statements (18 U.S.C. 1001).

3. By such judgement, Respondent was convicted of having obtained money and property of the Medicare program by means of false and deceptive representations by submitting bills for paravertebral nerve block injections on eight separate patients which he, in fact, had not performed, and for which billings he received reimbursement.

4. Respondent was sentenced to ten months in prison,

placed on probation for a five year period, fined \$9,000.00, ordered to pay \$16,238.26 in restitution to the United States Department of Health and Human Services and ordered to perform 500 hours of community service.

### CONCLUSIONS

The State has satisfied its burden of proof. Respondent was convicted of violating federal statutes. He was sentenced to prison. The Committee is convinced that Respondent has committed conduct which would not be tolerated by a physician in this state. Given the serious nature of the crimes committed, the only appropriate sanction is revocation.

### ORDER

Based upon the foregoing it is hereby **ORDERED** that,

1. The specifications of professional misconduct contained in the Statement of Charges in this matter be **SUSTAINED**; and

2. The license of Respondent to practice medicine in this state be **REVOKED**.

DATED: Albany, New York

December 20, 1993

Denise Bolan RPA-C  
DENISE BOLAN, R.P.A.,  
Chairperson

HOWARD SOHNEN, M.D.  
BERNARD POLLARA, M.D.

TO: Jeffrey Armon, Esq.  
Assistant Counsel  
New York State Department of Health  
Bureau of Professional Medical Conduct  
Corning Tower  
Albany, N.Y.

George T. Lee, M.D.  
C/O Tunas (Pte) Ltd.  
70 Anson Rd.  
Apex Tower, 27th Floor  
Singapore 0207



**APPENDIX I**

George T. Lee, M.D.  
C/O TUNAS (Pte) LTD.  
70 Anson Road 27th Floor  
Singapore 0207

October 10, 1993.

Peter D. Van Buren  
Deputy Counsel  
Bureau of Professional Medical Conduct  
State of New York, Department of Health  
Corning Tower Rm. 2429  
Empire State Plaza  
Albany N.Y. 12237

**RECEIVED**  
MYS DEPT. OF HEALTH

NOV 01 1993

DIVISION OF LEGAL AFFAIRS

Re: License No: 132306

Dear Mr. Van Buren,

I received the notice of Direct Referral Proceeding dated September 21, 1993 through a mail carrier of unknown origin a few days ago. I am not contesting this proceeding and promise to be cooperative with the board. Because I believe this proceeding indicates how the board take its responsible action for the public.

As a physician who was convicted of 2 counts of mail fraud, 3 counts of making false statement and 4 counts of making false or fraudulent statement in the United States District Court in New Jersey on January 25, 1991 following a trial. The first 2 counts was a mail fraud in general by submitting false claim for medical service to Medicare while the other was involving a patient that I had performed acupuncture and paravertebral nerve block but judged as giving vitamin B12 injection in the court. The following 7 cases were those who were treated by my wife during 2 weeks time in May 1985 while I was out of the Country, and I erroneously submitted the bill as paravertebral block to Medicare. The detail of which can be found in Federal Criminal case docket 90-248.

I have serve 10 months sentence in prison, paid \$9,000 fine and \$16,238.26 restitution and performed the majority of community service.

On May 13, 1992 after a hearing conducted by State Board of Medical Examiners of the State of New Jersey, the decision was to suspend my licence to practice medicine and surgery in New Jersey for a period of five years to commence on May 1, 1991. Eighteen months of that period shall be served as an active suspension. At the conclusion of the period of active suspension, I shall have leave to submit to the Board a request for approval of a return to practise in a supervised non-private practice setting. At the conclusion of the five years period of suspension, I shall appear before the Board or a Committee thereof to discuss my progress & plans. This order was filed on November 5, 1992.

The Medicare & Medicaid Program put me on sanction for 10 years. Needless to say, the conviction is really a tragedy to me and my family. I have to sell my office to pay the lawyers, fine and the restitution. I was on suspension and not able to make a living in New Jersey.

continue.....

Licence to practice medicine & surgery is the only life of a physician. Revocation of a physician's licence means no difference as to declare a death penalty. God gives us life. No one can surrender life. Life can be taken only by means of natural death, death sentence or murder. What I have to say I had said it during the trial. It is meaningless just to scrape on the old wound which may creat a new pain. Since I am here to make a living approved by the court. It is not possible to appear in the proceeding personally. At the same time, I can not afford to hire a lawyer to represent me. Probably the Board may be able to appoaint a legal aid on my behalf and conduct the proceeding as it has to be.

Very Truly Yours,

  
George T. Lee. ,M.D.

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

-----X  
: IN THE MATTER : NOTICE OF  
: OF : DIRECT REFERRAL  
: GEORGE T. LEE, M.D. : PROCEEDING  
: :  
-----X

TO: GEORGE T. LEE, M.D.  
c/o Tunas (Pte) Ltd.  
70 Anson Road  
Apex Tower, 27th Floor  
Singapore 0207

PLEASE TAKE NOTICE THAT:

An adjudicatory proceeding will be held pursuant to the provisions of N.Y. Pub. Health Law Section 230(10)(m)(iv) (McKinney Supp. 1993) and N.Y. State Admin. Proc. Act Sections 301-307 (McKinney Supp. 1993). The proceeding will be conducted before a committee on professional conduct (Committee) on the 1st day of December, 1993 at 10:00 p.m. in the forenoon of that day at Corning Tower, 25th Floor Conference Room, Empire State Plaza, Albany, New York.

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 witnesses and evidence on your behalf. However, the Committee will permit only such sworn testimony and documentary evidence which relates to the nature and severity of the penalty that may be imposed on you. Where the charges are based on the conviction of state crimes in other jurisdictions, evidence which would show that the conviction would not be a crime in New York State may also be offered. 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 Tyrone Butler, Supervising Administrative Law Judge, New York State Department of Health, Corning Tower Building, 25th Floor, Empire State Plaza, Albany, New York 12237 as well as the Department of Health attorney indicated below, on or before November 15, 1993 .

You may file a written answer or brief. Seven copies of all papers you wish to submit must be filed with Judge Butler at the address indicated for the above on or before November 15, 1993 and a copy of all papers must be served on the same date on the Department of Health attorney indicated below.

The proceeding may be held whether or not you appear. Please note that requests for adjournments must be made in writing to Judge Butler 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 submit a written report of its findings, determination as to guilt, and a determination.

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: Albany, New York  
*September 21, 1993*

*Peter D. Van Buren*

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

Inquiries should be addressed to:  
JEFFREY J. ARMON  
Assistant Counsel  
(518) 473-4282

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

-----X

IN THE MATTER : STATEMENT  
OF : OF  
GEORGE T. LEE, M.D. : CHARGES

-----X

GEORGE T. LEE, M.D., the Respondent, was authorized to practice medicine in New York State on September 16, 1977 by the issuance of license number 132306 by the New York State Education Department. The Respondent is not currently registered with the New York State Education Department to practice medicine. His current address is c/o Tunas (Pte) Ltd., 70 Anson Road, Apex Tower, 27th Floor, Singapore 0207.

FACTUAL ALLEGATIONS

A. On or about May 3, 1991, a Judgement in a Criminal Case was entered against Respondent in the United States District Court in New Jersey following a trial in which he was convicted of two counts of mail fraud (18 U.S.C. §1341), three counts of making false statements (42 U.S.C. §1399nn(9)) and four counts of making false or fraudulent statements (18 U.S.C. §1001).

1. By such Judgement, Respondent was convicted of having obtained money and property of the Medicare program



by means of false and deceptive representations by submitting bills for paravertebral nerve block injections on eight separate patients which he, in fact, had not performed, and for which billings he received reimbursement.

2. Respondent was sentenced to ten months in prison, placed on probation for a five year period, fined \$9,000.00, ordered to pay \$16,238.26 in restitution to the United States Department of Health and Human Services and ordered to perform 500 hours of community service.

SPECIFICATION OF CHARGES

HAVING BEEN CONVICTED OF COMMITTING  
AN ACT CONSTITUTING A CRIME UNDER  
FEDERAL LAW

Respondent is charged with professional misconduct in violation of N.Y. Educ. Law §6530(9)(a)(ii) (McKinney Supp. 1993) [formerly N Educ. Law §6509(5)(a)(ii)] in that Respondent was convicted of committing an act constituting a crime under federal law, in that Petitioner charges:

1. The facts in Paragraphs A and A.1 and/or A.2.

DATED: Albany, New York

*September 21, 1993*

*Peter D. Van Buren*

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