



New York State Board for Professional Medical Conduct

433 River Street, Suite 303 Troy, New York 12180-2299 • (518) 402-0863

Dennis P. Whalen
Executive Deputy Commissioner of Health
Anne F. Salle, Director
Office of Professional Medical Conduct
William J. Comiskey, Chief Counsel
Bureau of Professional Medical Conduct

William P. Dillon, M.D.
Chair
Denise M. Bolan, R.P.A.
Vice Chair
Ansel R. Marks, M.D., J.D.
Executive Secretary

February 22, 1999

CERTIFIED MAIL-RETURN RECEIPT REQUESTED

John Lee, M.D.
192 South Main Street
Middletown, CT 06117

RE: License No. 113554

Dear Dr. Lee:

Enclosed please find Order #BPMC 99-40 of the New York State Board for Professional Medical Conduct. This Order and any penalty provided therein goes into effect **February 22, 1999**.

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 to 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: Jeremy Weingast, Esq.
Weingast & Collin
609 Farmington Avenue
Hartford, CT 06105

Kalimah J. Jenkins, Esq.

bcc: W. Comiskey
R. Nemerson
C. Glynn
Surrender File
A. Bohenek
K. Spooner



New York State Board for Professional Medical Conduct

433 River Street, Suite 303 Troy, New York 12180-2299 • (518) 402-0863

Dennis P. Whalen
Executive Deputy Commissioner of Health
Anne F. Salle, Director
Office of Professional Medical Conduct
William J. Comiskey, Chief Counsel
Bureau of Professional Medical Conduct

William P. Dillon, M.D.
Chair
Denise M. Bolan, R.P.A.
Vice Chair
Ansel R. Marks, M.D., J.D.
Executive Secretary

February 22, 1999

Mr. Robert Bentley, Director
Division of Professional Licensing Services
New York State Education Department
Cultural Education Center
Empire State Plaza
Albany, New York 12230

RE: License No. 113554

Dear Mr. Bentley:

Enclosed please find Order #BPMC 99-40 of the New York State Board for Professional Medical Conduct concerning John Lee, M.D.

Sincerely,

Ansel R. Marks, M.D., J.D.
Executive Secretary
Board for Professional Medical Conduct

Enclosure

cc: Daniel Kelleher

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

-----X
IN THE MATTER : SURRENDER
OF : ORDER
JOHN LEE, M.D. : BPMC # 99-40
:
-----X

JOHN LEE, M.D., says:

On or about August 1, 1972, I was licensed to practice medicine as a physician in the State of New York having been issued License No. 113554 by the New York State Education Department. My address is 192 South Main Street, Middletown, CT 06117.

I understand that I have been charged with one specification of professional misconduct as set forth in the Statement of Charges, annexed hereto, made a part hereof, and marked as Exhibit "A".

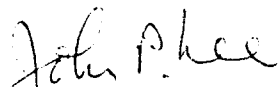
I am applying to the State Board for Professional Medical Conduct for an agreement to allow me to surrender my license as a physician in the State of New York and request that the Board issue this Surrender Order.

I do not contest the one specification(s) set forth in the Statement of Charges.

I understand that, in the event that this proposed agreement 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 proposed agreement 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 agrees with my proposal, this Order shall be issued striking my name from the roster of physicians in the State of New York without further notice to me. I agree that this Order shall be effective upon issuance by the Board, which may be accomplished by mailing, by first class mail, a copy of the Order to me at the address set forth above, or to my attorney, or upon transmission via facsimile to me or my attorney, whichever is earliest.

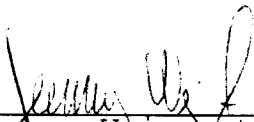
I am making this agreement of my own free will and accord and not under duress, compulsion, or restraint of any kind or manner.



JOHN LEE, M.D.
Respondent


AGREED TO:

Date: 1-29, 1999




Jeremy Weingast, Esq.
Attorney for Respondent

Date: 2-1, 1999



Kalimah J. Jenkins
Assistant Counsel
Bureau of Professional
Medical Conduct

Date: Jul 12, 1999



ANNE F. SAILE
Director, Office of
Professional Medical Conduct

ORDER

Upon the proposed agreement of JOHN LEE, M.D., 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 proposed agreement 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 be effective upon issuance by the Board, which may be accomplished by mailing, by first class mail, a copy of this Order to Respondent at the address set forth in this agreement or to Respondent's attorney, or upon transmissions via facsimile to Respondent or Respondent's attorney, whichever is earliest.

DATED: 2/17/99



William P. Dillon, M.D.
Chair
State Board for Professional
Medical Conduct

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

-----X

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

-----X

JOHN LEE, M.D., the Respondent, was authorized to practice medicine in New York State on August 1, 1972 by the issuance of license number 113554 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. Respondent's license to practice medicine in the State of Connecticut became the subject of a disciplinary action relating to events occurring on approximately July 9, 1997.
- B. By Memorandum Decision dated August 18, 1998, the Connecticut Medical Examining Board, among other things, placed Respondent on probation for a period of two years.
- C. The sanctions imposed upon Respondent's license was based upon the Connecticut Medical Examining Board's finding that Respondent incompetently and negligently touched Patient A's [identified in the appendix] breast when there was no clinical reason to do so.

D. The conduct resulting in the disciplinary action would constitute professional misconduct if committed in New York State under Education Law §§ 6530(6) -- practicing the profession with gross incompetence and/or 6530(31) -- willfully harassing, abusing, or intimidating a patient either physically or verbally.

FIRST SPECIFICATION

DISCIPLINARY ACTION IN ANOTHER STATE

Respondent is charged with a violation of New York Education Law § 6530(9)(b) by reason of 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 misconduct under the laws of New York State, specifically New York Education Law §§ 6530(6), and (31) in that Petitioner alleges the facts in:

1. Paragraphs A and/or B and/or C and/or D.

DATED: *February 1*, 1999
Albany, New York

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