



**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

March 10, 1994

**CERTIFIED MAIL-RETURN RECEIPT REQUESTED**

Zenaida Macapagal, M.D.  
144-18 29th Road  
Flushing, New York 11354-2315

RE: License No. 125375  
Effective Date: 3/17/94

Dear Dr. Macapagal:

Enclosed please find Order #BPMC 94-31 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 Director  
Board for Professional Medical Conduct

Enclosure

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

-----X

IN THE MATTER :

OF :

ORDER

ZENAIDA MACAPAGAL, M.D. :

BPMC #94-31

-----X

Upon the application of ZENAIDA MACAPAGAL, 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 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:

7 March 1994

Charles J. Vacanti

Charles J. Vacanti, M.D.

Chairperson

State Board for Professional  
Medical Conduct



I admit guilt to the specification set forth in the statement of charges.

I hereby agree to the penalty that my license be suspended for two years, with said suspension stayed to become a two-year period of probation under the terms and conditions attached hereto, made part hereof and marked 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, that this 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 that 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.

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.

Zenaida Z. Macapagal, M.D.  
ZENaida Z. MACAPAGAL, M.D.

Sworn to before me this  
15 day of February, 1994.

Melissa Manfredi  
NOTARY PUBLIC

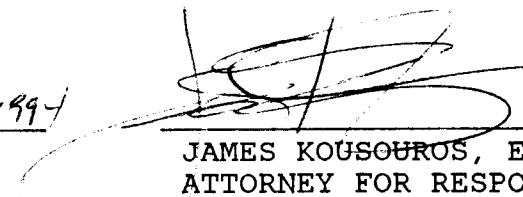
**MELISSA A. MANFREDI**  
**Notary Public, State of New York**  
**No. 41 4566777**  
**Qualified in Queens County 94**  
**Commission Expires May 14, 19**


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

-----X  
: APPLICATION  
IN THE MATTER :  
: FOR  
OF :  
: CONSENT  
ZENAIDA Z. MACAPAGAL, 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: \_\_\_\_\_ Zenaida Z. Macapagal, M.D.  
ZENAIDA Z. MACAPAGAL, M.D.  
RESPONDENT

Date: February 15, 1994   
JAMES KOUSSOUROS, ESQ.  
ATTORNEY FOR RESPONDENT

Date: February 28, 1994   
KEVIN C. ROE  
ASSOCIATE COUNSEL  
BUREAU OF PROFESSIONAL  
MEDICAL CONDUCT

Date: March 8, 1994 Kathleen M. Tanner

KATHLEEN M. TANNER  
DIRECTOR  
OFFICE OF PROFESSIONAL  
MEDICAL CONDUCT

Date: 7 March 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  
ZENAIDA Z. MACAPAGAL, M.D. : CHARGES  
-----X

ZENAIDA Z. MACAPAGAL, M.D., the Respondent, was authorized to practice medicine in New York State on September 15, 1975 by the issuance of license number 125375 by the New York State Education Department. The Respondent is currently registered with the New York State Education Department to practice medicine at 144 18 29th Road Flushing, New York 11354-2315 from January 1, 1993 through December 31, 1994.

FACTUAL ALLEGATIONS

A. On or about May 25, 1990, Respondent was convicted in the United States District Court for the Eastern District of New York of Receiving Renumeration In Exchange For Ordering Items Payable Under Medicare or Medicaid, a Class D Felony, in violation of Title 42 U.S.C. 1320 a-7(b)(1)(b). Respondent was sentenced to three years probation and fined \$5,000.00.



SPECIFICATION

Respondent is charged with having been convicted of committing an act constituting a crime under federal law in violation of N.Y. Education Law §6530(9)(a)(ii) (McKinney Supp. 1993) in that Petitioner alleges:

1. The facts in paragraph A.

DATED: Albany, New York

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

## EXHIBIT B

### TERMS OF PROBATION

- a. ZENAIDA Z. MACAPAGAL, M.D., the Respondent during the period of probation, shall conduct himself in all ways in a manner befitting her professional status, and shall conform fully to the moral and professional standards of conduct imposed by law and by her profession;
- b. 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;
- c. 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;
- d. 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;
- e. So long as there is full compliance with every term herein set forth, Respondent may continue to practice his or her 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.