



**Board for Professional Medical Conduct**

Corning Tower • Empire State Plaza • Albany, NY 12237 • (518) 474-8357

**C. Maynard Guest, M.D.**  
Executive Secretary

August 6, 1992

**CERTIFIED MAIL-RETURN RECEIPT REQUESTED**

Christopher John McCarthy, R.P.A.  
8 Trumpet Lane  
Levittown, New York 11756

RE: License No. 003170  
Effective Date 08/13/92

Dear Mr. McCarthy:

Enclosed please find Order #BPMC 92-63 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 12237-0614

Sincerely,

C. Maynard Guest, M.D.  
Executive Secretary  
Board for Professional Medical Conduct

Enclosure

cc: Michael H. Holohan, Jr., Esq.  
Farley, Holohan, Wagner & Doman  
330 Old Country Road-Suite 202  
Mineola, New York 11501

Kevin P. Donovan, Esq.

bcc: Chris Hyman  
Peter Van Buren  
Carlos Perez  
Kenneth Spooner  
Cheryl Ratner  
Faith Schottenfeld  
Anne Bohenek

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

-----X

IN THE MATTER :  
OF : ORDER  
CHRISTOPHER JOHN MCCARTHY, R.P.A. : #BPMC 92-63

-----X

Upon the application of CHRISTOPHER JOHN MCCARTHY,  
R.P.A., 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 so ORDERED, 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:

3 August 1992

Charles J. Vacanti

Charles J. Vacanti, M.D.  
Chairperson  
State Board for Professional  
Medical Conduct

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

-----X  
: APPLICATION  
IN THE MATTER :  
OF : FOR  
CHRISTOPHER JOHN MCCARTHY, R.P.A. : CONSENT  
: ORDER  
-----X

STATE OF NEW YORK )  
                              )            ss.:  
COUNTY OF NASSAU    )

CHRISTOPHER JOHN MCCARTHY, R.P.A., being duly sworn,  
deposes and says that:

On or about January 28, 1987, I was licensed to practice as a physician's assistant in the State of New York, having been issued License No. 003170 by the New York State Education Department.

I am currently registered with the New York State Education Department to practice as a physician's assistant in the State of New York for the period January 1, 1991 through December 31, 1992, with a registered address of 8 Trumpet Lane, Levittown, New York 11756.

I understand that the New York State Board of Professional Medical Conduct has charged me with One Specification of professional misconduct.

A copy of the Statement of Charges is annexed hereto, made a part hereof, and marked as Exhibit "A".

I admit guilt to the charged specification and agree to the following penalty: a three year suspension of my license to practice as a physician's assistant, with the entire suspension stayed conditioned on my full compliance with all Terms of Probation set forth in Exhibit B attached hereto, during a probationary period of three years.

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, 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 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.

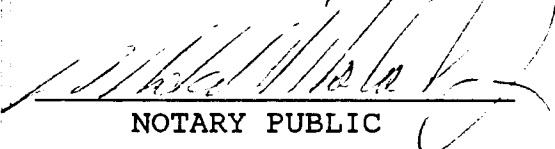
I agree that, in the event the Board grants my Application, as set forth herein, an order of the Chairperson of the Board shall be issued in accordance with same.

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



CHRISTOPHER JOHN McCARTHY, R.P.A.  
RESPONDENT

Sworn to before me this  
9<sup>th</sup> day of July, 1992.



NOTARY PUBLIC

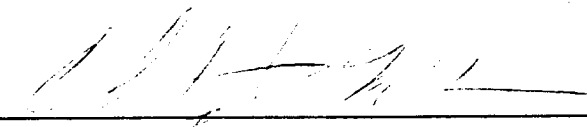
MICHAEL H. HOLOHAN JR  
Notary Public, State of New York  
No. 30-4738750  
Qualified in Nassau County  
Commission Expires March 30, 1994

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

-----X  
: APPLICATION  
IN THE MATTER :  
OF : FOR  
CHRISTOPHER JOHN McCARTHY, R.P.A. : CONSENT  
: ORDER  
-----X

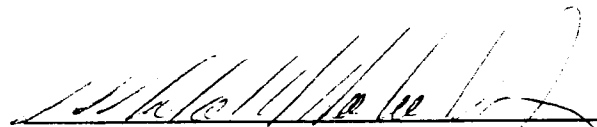
The undersigned agree to the attached application of the Respondent and to the proposed penalty based on the terms and conditions thereof.

Date: ~~7/9/92~~ 7/9/92  
CM



CHRISTOPHER JOHN McCARTHY, R.P.A.  
RESPONDENT

Date: ~~7/9/92~~ 7/9/92  
MH



MICHAEL HOLOHAN, ESQ.  
ATTORNEY FOR RESPONDENT

Date: 7/13/92



KEVIN P. DONOVAN  
ASSISTANT COUNSEL  
BUREAU OF PROFESSIONAL  
MEDICAL CONDUCT

Date: August 5, 1992

Kathleen M. Tanner

KATHLEEN M. TANNER  
DIRECTOR  
OFFICE OF PROFESSIONAL  
MEDICAL CONDUCT

Date: 3 August 1992

Charles J. Vacanti

CHARLES J. VACANTI, M.D.  
CHAIRPERSON  
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  
CHRISTOPHER JOHN McCARTHY, R.P.A. : CHARGES  
-----X

CHRISTOPHER JOHN McCARTHY, R.P.A., the Respondent, was authorized to practice medicine in New York State on January 18, 1987 by the issuance of license number 003170 by the New York State Education Department. The Respondent is currently registered with the New York State Education Department to practice medicine for the period January 1, 1991, through December 31, 1992, with a registered address of 8 Trumpet Lane, Levittown, New York 11756.

SPECIFICATION

The Respondent is charged with professional misconduct within the purview of New York Education Law §6530(9)(a) (McKinney Supp. 1992) [formerly [formerly New York Education Law §6509 (McKinney 1985)] in that he has been convicted of committing an act constituting a crime under New York State law, specifically:

On or about December 3, 1991, Respondent pled guilty to, and on or about January 21, 1992, Respondent was



convicted and sentenced in the County Court of Nassau County, New York State for operating a motor vehicle while under the influence of alcohol, a misdemeanor, constituting a violation of N.Y. Vehicle & Traffic Law §1192(3).

DATED: Albany, New York  
*July 29, 1997*



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

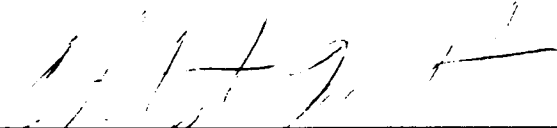
EXHIBIT "B"

TERMS OF PROBATION

1. CHRISTOPHER JOHN McCARTHY, R.P.A., the Respondent, shall conduct himself in all ways in a manner befitting his professional status, and shall conform fully to the moral and professional standards of conduct imposed by law and by his profession.
2. 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.
3. 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.
4. 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.
5. Respondent shall abstain from the use of any mood altering chemicals (drugs or alcohol) unless prescribed by a physician for legitimate medical purposes, at which event there must be the prior written approval of the physicians referred to in paragraphs (7) and (11) below.

6. Respondent shall attend meetings of Alcoholics Anonymous or another organization acceptable to OPMC at least twice a week.
7. Respondent shall undergo psychiatric evaluation at least once a year by a psychiatrist selected by Respondent and acceptable to OPMC and undergo therapy as deemed necessary by that physician; said physician shall be familiar with Respondent's history of alcohol abuse and the terms of probation, and shall notify OPMC immediately of any non-compliance with therapy.
8. Respondent shall authorize in writing and cause the psychiatrist referred to in the preceding paragraph to submit to OPMC, addressed as above, quarterly written reports concerning Respondent's progress in therapy.
9. Respondent shall submit to random, weekly supervised urine and/or blood screenings for drugs and alcohol at the request and discretion of a screening monitor selected by Respondent and previously approved in writing by OPMC; after the conclusion of two years of compliance with the terms of probation, the random screens shall be once each month until the end of the probationary period.
10. Respondent shall authorize in writing and cause the screening monitor referred to in the preceding paragraph to submit in writing to OPMC, addressed as above, the results of the screenings and to notify OPMC immediately of any refusal to take a test or of any positive result.
11. Respondent shall authorize a monitoring physician, who shall be selected by Respondent and previously approved in writing by OPMC, to provide to OPMC a quarterly report of Respondent's work attendance and performance. All instances of unscheduled absence from work shall be reported to OPMC and to the screening monitor immediately.
12. Respondent shall promptly pay the fees and costs of all treatment, monitors or tests required as a term of probation.
13. Respondent shall comply with all terms, conditions, restrictions, and penalties to which he is subject pursuant to the order of the Board.

14. So long as there is full compliance with every term herein set forth, Respondent may continue to practice his or her aforementioned 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.



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CHRISTOPHER JOHN McCARTHY, R.P.A.  
RESPONDENT