



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 1, 1997

CERTIFIED MAIL-RETURN RECEIPT REQUESTED

Adel Abdel Halim Montasir, M.D.
9515 North 53rd Place
Scottsdale, Arizona 85253

RE: License No. 107376

Dear Dr. Montasir:

Enclosed please find Order #BPMC 97-287 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: David W. Smith, Esq.

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

IN THE MATTER
OF
ADEL ABDEL HALIM MONTASIR, M.D.

SURRENDER
OF
LICENSE
BPMC #97-287

STATE OF ARIZONA)
COUNTY OF)
Maricopa

ss.:

ADEL ABDEL HALIM MONTASIR, M.D., being duly sworn, deposes and says:

On or about September 14, 1970, I was licensed to practice medicine as a physician in the State of New York having been issued License No. 107376 by the New York State Education Department.

My current address is 9515 North 53rd Place, Scottsdale, Arizona 85253 , 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 hereby agree not to contest the allegations in full satisfaction of the Statement of Charges against me and I hereby apply to the State Board for Professional Medical Conduct for permission to surrender my license as a physician in the State of New York.

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.

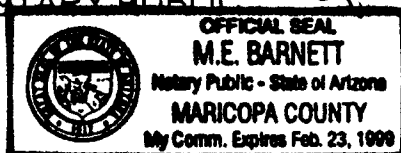
Adel Montsir

ADEL ABDEL HALIM MONTSIR, M.D.
RESPONDENT

Sworn to before me this

14 day of Nov, 1997

M.E. Barnett
NOTARY PUBLIC




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

Date: _____

_____, Esq.
Attorney for Respondent

Date: 11/19/97



DAVID W. SMITH
Associate Counsel
Bureau of Professional
Medical Conduct

Date: 11/21/97



ANNE F. SAILE
Director
Office of Professional Medical Conduct

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

IN THE MATTER
OF
ADEL ABDEL HALIM MONTASIR, M.D.

SURRENDER
ORDER

Upon the proposed agreement of ADEL ABDEL HALIM MONTASIR, 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: 11/25/97

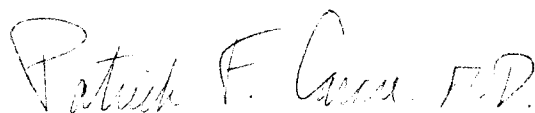

PATRICK F. CARONE, M.D., M.P.H.
Chairperson
State Board for Professional
Medical Conduct

EXHIBIT "A"

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

IN THE MATTER
OF
ADEL ABDEL HALIM MONTASIR, M.D.

STATEMENT
OF
CHARGES

ADEL ABDEL HALIM MONTASIR, M.D., the Respondent, was authorized to practice medicine in New York State on or about September 14, 1970, by the issuance of license number 107376 by the New York State Education Department.

FACTUAL ALLEGATIONS

- A. On or about January 24, 1997, the Board of Medical Examiners of the State of Arizona ("Board"), after hearing at which Respondent appeared, revoked the medical license of Respondent. The Board found that Respondent : (i) was not medically competent to practice medicine having failed to pass the SPEX exam in violation of ARS §32-1401(25)(r); and (ii) had committed fraud in violation of ARS §32-1401(25)(t) by knowingly and falsely denying in a job application that his hospital clinical privileges had been modified or suspended or that he was the subject of disciplinary action by a medical staff organization.

SPECIFICATION OF CHARGES

FIRST SPECIFICATION

FOUND GUILTY OF PROFESSIONAL MISCONDUCT

Respondent is charged with committing professional misconduct as defined in 6530(9)(b)(McKinney Supp. 1997) by having been found guilty of improper 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 professional misconduct in New York State [namely §§6530(5) - incompetence on more than one occasion; 6530(2) practicing the profession fraudulently; and 6530(21) willfully making or filing a false report) as alleged in the facts of the following:

1. Paragraph A.

SECOND SPECIFICATION

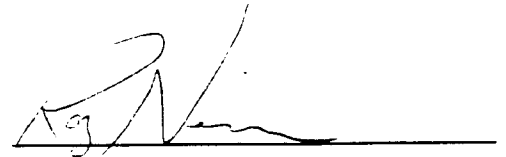
REVOCATION OF LICENSE

Respondent is charged with committing professional misconduct as defined in N.Y. Educ. Law §6530(9)(d)(McKinney Supp. 1997) by having his or her license to practice medicine revoked, suspended or having other disciplinary action taken, or having his or her application for a license refused, revoked or suspended or having voluntarily or otherwise surrendered his or her license after a disciplinary action was instituted by a duly authorized professional disciplinary agency of another state, where the conduct resulting in the revocation, suspension or other disciplinary action involving the license or refusal, revocation or suspension of an application for a

license or the surrender of the license would, if committed in New York state, constitute professional misconduct under the laws of New York state (namely N.Y. Educ. Law §6530(5)-incompetence on more than one occasion; 6530(2) - practicing the profession fraudulently; and 6530(21) - willfully making or filing a false report) as alleged in the facts of the following:

2. Paragraph A.

DATED: October 30, 1997
New York, New York

A handwritten signature in black ink, appearing to read "Roy Nemerson", is written over a horizontal line.

ROY NEMERSON
Deputy Counsel
Bureau of Professional
Medical Conduct