



New York State Board for Professional Medical Conduct

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

Barbara A. DeBuono, M.D., M.P.H.
Commissioner of Health

Charles J. Vacanti, M.D.
Chair

February 22, 1996

CERTIFIED MAIL-RETURN RECEIPT REQUESTED

Douglas Moss, M.D.



RE: License No. 187062

Dear Dr. Moss:

Effective Date: 02/29/96

Enclosed please find Order #BPMC 96-27 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,



Charles Vacanti, M.D.
Chair
Board for Professional Medical Conduct

Enclosure

cc: Kenneth J. Weinstein, Esq.
1325 Franklin Avenue, Suite 225
Garden City, New York 11530

Kimberly A. O'Brien, Esq.

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

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IN THE MATTER :
OF : ORDER
DOUGLAS MOSS, M.D. : BPMC #96-27

-----x

Upon the application of DOUGLAS MOSS, 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: 14 February 1996



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

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IN THE MATTER : APPLICATION
OF : FOR
DOUGLAS MOSS, M.D. : CONSENT
Respondent : ORDER
-----X

STATE OF ^{Florida} ~~GEORGIA~~)
COUNTY OF ^{Dade} ~~MITCHELL~~) ss.:

DOUGLAS MOSS, M.D., being duly sworn, deposes and says:
That on or about September 26, 1991, I was licensed to practice as a physician in the State of New York, having been issued License No. 187062 by the New York State Education Department.

I am currently registered with the New York State Education Department to practice as a physician in the State of New York.

I understand that the New York State Board for 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 do not contest the specification of professional misconduct set forth in the attached Statement of Charges (Exhibit A).

I hereby agree to the penalty that I be censured and

reprimanded.

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.


DOUGLAS MOSS, M.D.
RESPONDENT

Sworn to before me this

7th day of February

, 1974.


NOTARY PUBLIC



ANDREW H. RAPPEPORT
MY COMMISSION # CC337281 EXPIRES
January 30, 1998
BONDED THRU TROY FARM INSURANCE, INC.

DATE: 2/13/96

[REDACTED]

ANNE SAILE /
ACTING DIRECTOR
Office of Professional Medical
Conduct

DATE: 14 February 1996

[REDACTED]

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
DOUGLAS MOSS, M.D.	:	CHARGES

-----X

DOUGLAS MOSS, M.D., the Respondent, was authorized to practice medicine in New York State on or about September 26, 1991, by the issuance of license number 187062 by the New York State Education Department.

FACTUAL ALLEGATIONS

- A
1. The Board of Medical Examiners of the State of Florida, [hereinafter "the Florida Board"], by Final Consent Order on or about June 9, 1995, approved and adopted in toto a Consent Agreement in which Respondent admitted that the facts set forth in the Administrative Complaint, if proven, would constitute violations of Chapter 458, Florida Statutes. The Administrative Complaint alleged, among other things, dispensing of Valium without appropriate legal authorization.
 2. The Florida Board ordered that Respondent pay a \$2,000 fine and mandated Continuing Medical Education.

3. The conduct underlying the Florida Board's finding of unprofessional conduct would, if committed in New York State, constitute professional misconduct under N.Y. Educ. Law §6530(24) (McKinney Supp.1996) [practicing profession beyond the scope permitted by law], N.Y. Educ. Law §6530(16) (McKinney Supp.1996) [failure to comply with substantial provisions of state laws governing the practice of the profession], and or N.Y. Educ. Law §6530(3) (McKinney Supp.1996) [practicing the profession with negligence on more than one occasion]

SPECIFICATION OF CHARGES


FIRST SPECIFICATION

DISCIPLINE IN ANOTHER STATE

Respondent is charged with professional misconduct within the meaning of N.Y. Educ. Law §6530(9)(d) (McKinney Supp. 1996) by reason of his having been disciplined 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 under the laws of New York State, in that Petitioner charges:

1. The facts in Paragraphs A.1, A.2, and/or A.3.

DATED: *February 5*, 1996
Albany, New York


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