



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

June 20, 1997

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

Sherwood A. Baxt, M.D.
351 Evelyn Street
Paramus, New Jersey 07652

RE: License No. 099305

Dear Dr. Baxt:

Enclosed please find Order #BPMC 97-140 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.

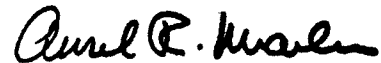
If the penalty imposed by the Order is a surrender, revocation or suspension of this license, you are required to deliver to the Board the license and registration within five (5) days of receipt of the Order.

Board for Professional Medical Conduct
New York State Department of Health
Hedley Park Place, Suite 303
433 River Street
Troy, New York 12180

If the penalty imposed by the Order is a fine, please write the check payable to the New York State Department of Health. Noting the BPMC Order number on your remittance will assist in proper crediting. Payments should be directed to the following address:

Bureau of Accounts Management
New York State Department of Health
Corning Tower, Room 1315
Empire State Plaza
Albany, New York 12237

Sincerely,



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

Enclosure

cc: Helen Davis Chaitman, Esq.
580 Howard Avenue
Somerset, New Jersey 08873

Kimberly A. O'Brien, Esq.

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

-----X

IN THE MATTER : CONSENT
OF : AGREEMENT
SHERWOOD A. BAXT, M.D. : AND ORDER
: BPMC # 97-140

-----X

Sherwood A. Baxt, M.D., says:

I am licensed to practice as a physician in the State of New York, having been issued license number 099305 by the New York State Education Department.

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 admit guilt to the first specification.

I hereby agree to the following penalty:

I hereby agree to the following penalty:

- a) a censure and reprimand;
- b) the payment of a \$15,000.00 fine to the New York State Department of Health, Bureau of Accounts Management.

I agree that in the event that I am charged with professional misconduct in the future, this agreement and order shall be admitted into evidence in that proceeding.

I agree that, as a condition of this Order, I will maintain current registration of my license. Within 90 days of the date of this Order, I will provide proof of current registration to the Director of OPMC.

I ask that the New York State Board for Professional Medical Conduct take note of my expression of embarrassment, expression of regret, and representation that I will assure that there is no recurrence of the violations of the New Jersey advertising laws which the New Jersey Board of Medical Examiners cited in their Order of Reprimand, dated October 3, 1996.

I understand that, in the event that the Board does not grant this application, 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 State Board for Professional Medical Conduct grants my application, an order of the Chairperson of the Board shall be issued in accordance with same.

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

Sherwood A. Baxt
SHERWOOD A. BAXT, M.D.
Respondent

Subscribed before me this
27th day of May, 1997.

Diana C. Reid
NOTARY PUBLIC

DIANA C. REID
NOTARY PUBLIC OF NEW JERSEY
My Commission Expires Mar 24th, 2001

AGREED TO:

DATE:

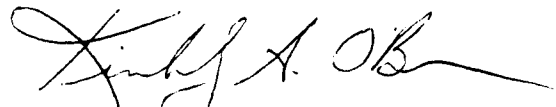
5/28/97



HELEN DAVIS CHAITMAN
Attorney for Respondent

DATE:

May 30 1997



KIMBERLY A. O'BRIEN
Senior Attorney
Bureau of Professional
Medical Conduct

DATE:

June 11, 1997



ANNE F. SAILE
Director
Office of Professional
Medical Conduct

ORDER

Upon the proposed agreement of Sherwood A. Baxt, M.D. (Respondent) for Consent Order, 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; 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.

DATED: June 15, 1997



PATRICK F. CARONE, M.D., M.P.H.
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
 SHERWOOD A. BAXT : CHARGES
 -----X

SHERWOOD A. BAXT, M.D., the Respondent, was authorized to practice medicine in New York State by the issuance of license number 099305 by the New York State Education Department. The Respondent is currently registered with the New York State Education Department to practice medicine, with a registration address of 351 Evelyn Street, Paramus, New Jersey, 07652.

FACTUAL ALLEGATIONS

1. By Administrative Action and Order of Reprimand dated October 3, 1996, the State of New Jersey Department of Law & Public Safety Division of Consumer Affairs Board of Medical Examiners issued a finding that Respondent had violated the law of New Jersey by repeatedly publishing untruthful and misleading advertisements. Respondent was reprimanded and required to pay a penalty of \$15,000.

2. The conduct of which Respondent was found guilty in New Jersey would, if committed in New York State, constitute professional misconduct under the laws of New York State, namely within the meaning of New York Education Law § 6530(2) (McKinney

Supp. 1997) (practicing the profession fraudulently) and within the meaning of New York Education Law § 6530(27) (McKinney Supp. 1997) (advertising not within the public interest).

SPECIFICATIONS OF MISCONDUCT

FIRST SPECIFICATION

GUILTY OF MISCONDUCT IN ANOTHER STATE

Respondent is charged with professional misconduct within the meaning of New York Education Law § 6530(9)(b) (McKinney Supp. 1997) in that he was 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 professional misconduct under the laws of New York State, in that Petitioner charges:

1. The facts of paragraphs 1 and 2.

SECOND SPECIFICATION

DISCIPLINARY ACTION BY ANOTHER STATE

Respondent is charged with professional misconduct within the meaning of New York Education Law § 6530(9)(d) (McKinney Supp. 1997) in that he had disciplinary action taken against his license by a duly authorized professional disciplinary agency of another state, where the conduct resulting in the disciplinary action would, if committed in New York State, constitute professional misconduct under the laws of New York State, in that

Petitioner charges:

1. The facts of paragraphs 1 and 2.

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

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