

New York State Board for Professional Medical Conduct

433 River Street, Suite 303 Troy, New York 12180-2299 • (518) 402-0863

Antonia C. Novello, M.D., M.P.H.

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NYS Department of Health

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Office of Professional Medical Conduct

William P. Dillon, M.D. Chair

Denise M. Bolan, R.P.A. Vice Chair

Ansel R. Marks, M.D., J.D. Executive Secretary

November 2, 1999

CERTIFIED MAIL-RETURN RECEIPT REQUESTED

Obioma Agomuoh, M.D. 16400 North Park Drive South Field, MI 48075

RE: License No.: 190378

Dear Dr. Agomuoh:

Enclosed please find Order #BPMC 99-263 of the New York State Board for Professional Medical Conduct. This Order and any penalty provided therein goes into effect **November 2, 1999.**

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 to 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:

Stuart J. Dunning, M.D., Esq.

530 S. Pine Street Lansing, MI 48933

Robert Bogan, Esq.

STATE OF NEW YORK : DEPARTMENT OF HEA	LTH
STATE BOARD FOR PROFESSIONAL MEDICAL CO	ONDUCT
	X
IN THE MATTER	: SURRENDER
OF	: ORDER
OBIOMA AGOMUOH, M.D.	: BPMC # 99-263
	X

OBIOMA AGOMUOH, M.D., says:

On or about September 11, 1992, I was licensed to practice medicine as a physician in the State of New York having been issued License No. 190378 by the New York State Education Department. My address is 16400 North Park Drive, Southfield, MI 48075.

I understand that I have been charged with one (1) specification of professional misconduct as set forth in the Statement of Charges, annexed hereto, made a part hereof, and marked as Exhibit "A."

I am applying to the State Board for Professional Medical Conduct for an agreement to allow me to surrender my license as a physician in the State of New York and request that the Board issue this Surrender Order.

I do not contest the one (1) specification set forth in the Statement of Charges.

I understand that, in the event that this proposed agreement 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 proposed agreement 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 agrees with my proposal, this Order shall be issued striking my name from the roster of physicians in the State of New York without further notice to me. I agree that this Order shall be effective upon issuance by the Board, which may be accomplished by mailing, by first class mail, a copy of the Order to me at the address set forth above, or to my attorney, or upon transmission via facsimile to me or my attorney, whichever is earliest.

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

OBIOMA AGOMUOH, M.D. Respondent

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AGREED TO:

Date: <u>Oct.</u> 20, 1999

Date: October 24 1999

STUART J. DUNNING, M.D., Attorney for Respondent

ROBERT BOGAN
Assistant Counsel
Bureau of Professional
Medical Conduct

ANNE F. SAILE
Director Office of
Professional Medical Conduct

ORDER

Upon the proposed agreement of OBIOMA AGOMUOH, M.D., 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 proposed agreement 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 be effective upon issuance by the Board, which may be accomplished by mailing, by first class mail, a copy of this Order to Respondent at the address set forth in this agreement or to Respondent's attorney, or upon transmissions via facsimile to Respondent or Respondent's attorney, whichever is earliest.

DATED: 10/28/99

William P. Dillon, M.D.

Chair

State Board for Professional Medical Conduct

EXHIBIT A

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

IN THE MATTER OF OBIOMA AGOMUOH, M.D.

STATEMENT OF CHARGES

OBIOMA AGOMUOH, M.D., the Respondent, was authorized to practice medicine in New York state on September 11, 1992, by the issuance of license number 190378 by the New York State Education Department.

FACTUAL ALLEGATIONS

- A. On or about November 4, 1996, the New York Supreme Court, Queens County, New York issued a Preliminary Conference Order (hereinafter "PCO"), requiring Respondent to pay \$1,700.00 child support per month commencing on or before November 9, 1996.
- B. On or about December 11, 1998, the New York Supreme Court, Queens County, New York, ordered Respondent to pay \$42,500.00 with interest, in arrears, for failure to make full payments in child support based on the PCO described in Paragraph A above.
- C. On or about June 25, 1997 Respondent executed and submitted a reregistration application with regard to his New York license to practice medicine wherein he answered "No" to the question "Are you under an obligation to pay child support?"

SPECIFICATION

Respondent violated New York Education §6530(21) by having made and/or filed a false report, in that Petitioner charges:

1. The facts in paragraphs A, B, and/or C.

DATED: , 1999 Albany, New York

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