



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

August 19, 1998

CERTIFIED MAIL-RETURN RECEIPT REQUESTED

Liem Som Oei, M.D.
1379 Fox Ridge Trail
Sioux City, Iowa 51104

RE: License No.

RE: License No. 128703

Dear Dr. Oei:

Enclosed please find Order #BPMC 98-186 of the New York State Board for Professional Medical Conduct. This Order and any penalty provided therein goes into effect **August 26, 1998.**

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: Connie L. Diekema, Esq.
Nicholas Critelli Associates, P.C.
Suite 500
317 Sixth Avenue
Des Moines, Iowa 50309

Jude Brearton Mulvey, Esq.

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

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IN THE MATTER : SURRENDER
OF : ORDER
LIEM SOM OEI, M.D. : BPMC # 98-186

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LIEM SOM OEI, M.D., says:

On or about September 24, 1976, I was licensed to practice medicine as a physician in the State of New York having been issued License No.128703 by the New York State Education Department.

My current address is 1379 Fox Ridge Trail, Sioux City, Iowa and I will advise the Director of the Office of Professional Medical Conduct of any change of my address.

I am not currently registered with the New York State Education Department to practice as a physician in the State of New York.

I understand that I have been charged with one 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 hereby agree not to contest the allegations and one specification set forth in the Statement of Charges (Exhibit A).

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

Liem Som Oei MD
LIEM SOM OEI, M.D.
Respondent

AGREED TO:

Date: 8-7-, 1998

Connie L. Oulkenma
Esg.

Attorney for Respondent

Date: 10 August, 1998

Jude Brearton Mulvey
(Podiatrist) Assistant Counsel
FOR JUDE BREARTON MULVEY

JUDE BREARTON MULVEY
Assistant Counsel
Bureau of Professional
Medical Conduct

Date: Aug 11, 1998

Anne F. Saile
ANNE F. SAILE
Director, Office of
Professional Medical Conduct

ORDER

Upon the proposed agreement of LIEM SOM OEI, 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 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.

DATED: 8/13/98

Patrick F. Carone, M.D.

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

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IN THE MATTER : STATEMENT
OF : OF
LIEM SOM OEI, M.D. : CHARGES

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LIEM SOM OEI, M.D., the Respondent, was authorized to practice medicine in New York State on September 24, 1976 by the issuance of license number 128703 by the New York State Education Department.

FACTUAL ALLEGATIONS

1. Respondent entered into a Consent Agreement on or about December 18, 1997 with the Iowa Board of Medical Examiners (the "Iowa Board") following the institution of charges of professional misconduct against him arising out of the care of three patients pursuant to Iowa Code Sections 147.55(3), 147.55(8), 148.6(1), 148.6(2)g and 148.6(2)i and 633 IAC 12.4, 12.4(3), 12.4(3)b, 12.4(13), 12.4(28) and 13.10.
2. More specifically, the conduct underlying the Iowa discipline which constituted professional misconduct included the following:

- Respondent conducted inappropriate physical examinations on and engaged in improper sexual contact with Patient #1 prior to 1986.
 - Respondent conducted inappropriate physical examinations on and inappropriately asked questions concerning specific sexual practices of Patient #2 prior to November 1995.
 - Respondent conducted inappropriate physical examinations on and engaged in improper sexual contact with Patient #3.
3. Pursuant to the Consent Agreement, Respondent was required to pay a \$5000 fine, attend a personalized continuing medical education program which addresses physician - patient boundary issues, have a female chaperone present at all times during examinations of all patients and agreed not to treat patients who meet the criteria described in the Diagnostic and Statistical Manual of the American Psychiatric Association, DSM-IV, 300.12, 300.13 or 300.14 except in emergency cases, such cases to then be referred to another physician as soon as feasible.
4. The conduct underlying the Iowa disciplinary action would, if committed in New York State, constitute professional misconduct under New York Education Law §6530 (20) [conduct in the practice of medicine which evidences moral unfitness to practice medicine] and/or 6530(31) [willfully harassing, abusing or intimidating a patient either physically or verbally].

SPECIFICATION**DISCIPLINARY ACTION IN ANOTHER STATE**

Respondent is charged with professional misconduct under New York Education Law §6530(9)(d) (McKinney Supp. 1998) by reason of having other disciplinary action taken after a disciplinary action was instituted by a duly authorized professional disciplinary agency of another state, where the conduct resulting in the disciplinary action involving the license 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 1,2,3 and/or 4.

DATED: _____, 1998

Albany, New York

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