



***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., Dr.P.H.  
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*NYS Department of Health*  
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*Executive Deputy Commissioner*  
*NYS Department of Health*  
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*Office of Professional Medical Conduct*

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*Vice Chair*

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

September 25, 2000

***CERTIFIED MAIL-RETURN RECEIPT REQUESTED***

James O'Hair, M.D.  
204 Dean Ridge Court  
Cranston, Rhode Island 02920

RE: License No. 200465

Dear Dr. O'Hair:

Enclosed please find Order #BPMC 00-265 of the New York State Board for Professional Medical Conduct. This Order and any penalty provided therein goes into effect September 25, 2000.

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: William Lynch, Esq.

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

**IN THE MATTER  
OF  
JAMES O'HAIR, M.D.**

**CONSENT  
AGREEMENT  
AND  
ORDER**  
BPMC No. 00-265

**JAMES O'HAIR, M.D., (Respondent) says:**

That on or about August 11, 1995, I was licensed to practice as a physician in the State of New York, having been issued License No. 200465 by the New York State Education Department.

My current address is c/o Andrea Stergiou, 204 Dean Ridge Court, Cranston RI, 02920, and I will advise the Director of the Office of Professional Medical Conduct of any change of my address.

I understand that the New York State Board for Professional Medical Conduct has charged me with two specifications 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 charges, and I hereby agree to the following penalty:

1. A Censure and Reprimand;
2. A permanent limitation on my license prohibiting me from prescribing medications for myself, any friend, or any family member;

I further agree that the Consent Order for which I hereby apply shall impose the following conditions:

That, except during periods of actual suspension, Respondent shall maintain current registration of Respondent's license with the New York State Education Department Division of Professional Licensing Services, and pay all registration fees.

**This condition shall be in effect beginning thirty days after the effective date of the Consent Order and continuing until the full term of the Order has run, and until any associated period of probation and all probation terms have been completed and satisfied; and**

**That Respondent shall fully cooperate in every respect with the Office of Professional Medical Conduct (OPMC) in its administration and enforcement of this Order and in its investigation of all matters regarding Respondent. Respondent shall respond in a timely manner to each and every request by OPMC to provide written periodic verification of Respondent's compliance with the terms of this Order. Respondent shall meet with a person designated by the Director of OPMC as directed. Respondent shall respond promptly and provide any and all documents and information within Respondent's control upon the direction of OPMC.**

**I hereby stipulate that any failure by me to comply with such condition shall constitute misconduct as defined by New York State Education Law §6530(29).**

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

**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**

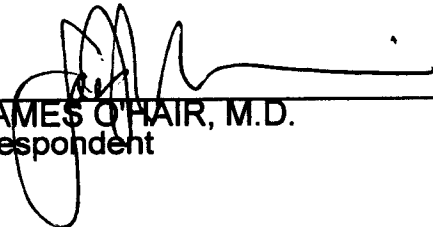
by the Board shall be made without prejudice to the continuance of any disciplinary proceeding and the final determination by the Board pursuant to the provisions of the Public Health Law.

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 agree that such order shall be effective upon issuance by the Board, which may be accomplished by mailing, by first class mail, a copy of the Consent Order to me at the address set forth in this agreement, or to my attorney, or upon transmission via facsimile to me or my attorney, whichever is earliest.

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 Consent Order for which I hereby apply, whether administratively or judicially, and ask that the Application be granted.


AFFIRMED:

DATED Sept 11, 2000

  
\_\_\_\_\_  
JAMES O'HAIR, M.D.  
Respondent

The undersigned agree to the attached application of the Respondent and to the proposed penalty based on the terms and conditions thereof.

DATE: 9/12/2000

  
\_\_\_\_\_  
WILLIAM J. LYNCH  
Senior Attorney  
Bureau of Professional  
Medical Conduct

DATE: September 15, 2000

  
\_\_\_\_\_  
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  
JAMES O'HAIR, M.D.

CONSENT  
ORDER

Upon the proposed agreement of JAMES O'HAIR, M.D. (Respondent) for Consent Order, which application is made a part hereof, it is agreed to and

ORDERED, that the application and the provisions thereof are hereby adopted and so ORDERED, and 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 the Consent Order to Respondent at the address set forth in this agreement or to Respondent's attorney by certified mail, or upon transmission via facsimile to Respondent or Respondent's attorney, whichever is earliest.

SO ORDERED.

DATED: 9/22/00

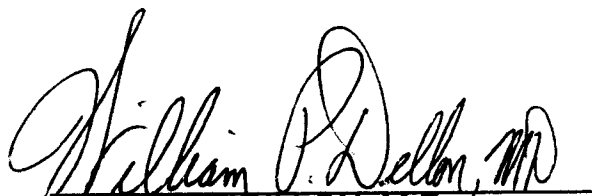
  
WILLIAM P. DILLON, M.D.  
Chair  
State Board for Professional  
Medical Conduct

EXHIBIT "A"

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

-----X

IN THE MATTER : STATEMENT  
OF : OF  
JAMES O'HAIR, M.D. : CHARGES

-----X

JAMES O'HAIR, M.D., the Respondent, was authorized to practice medicine in New York State on August 11, 1995 by the issuance of license number 200465 by the New York State Education Department. Respondent is currently registered with the New York State Education Department to practice medicine and resides at 204 Dean Ridge Court, Cranston, Rhode Island 02920.

**FACTUAL ALLEGATIONS**

A. Respondent provided medical care to Patients A [patients are identified in the Appendix] on approximately two occasions between approximately August 29, 1997 and November 20, 1997. Respondent's care did not conform to accepted standards of medical care in that:

1. Respondent failed to adequately assess and treat and/or document his assessment and treatment of Patient A.

B. Respondent provided medical care to Patients B on approximately six occasions between approximately January 2, 1998, and October 19, 1998. Respondent's care of Patient B did not conform to accepted standards of medical care in that:

1. Respondent failed to adequately assess and treat and/or document his assessment and treatment of Patient B.
2. Respondent prescribed anabolic steroids to Patient B to enhance his body building.

C. Respondent provided medical care to Patients C on approximately November 4, 1998. Respondent's care of Patient C did not conform to accepted standards of medical care in that:

1. Respondent failed to adequately assess and treat and/or document his assessment and treatment of Patient C.
2. Respondent prescribed anabolic steroids to Patient C to enhance his body building.

D. Respondent provided medical care to Patients D on approximately November 24, 1998. Respondent's care of Patient D did not conform to accepted standards of medical care in that:

1. Respondent failed to adequately assess and treat and/or document his assessment and treatment of Patient D.



FIRST SPECIFICATION

NEGLIGENCE ON MORE THAN ONE OCCASION

Respondent is charged with practicing medicine with negligence on more than one occasion in violation of New York Education Law §6530(3), in that Petitioner charges that Respondent committed two or more of the following:

1. The facts in Paragraphs A and A.1 and/or B and B.1 and/or B and B.2 and/or C and C.1 and/or C and C.2 and/or D and D.1.

SECOND SPECIFICATION

FAILURE TO MAINTAIN RECORDS

Respondent is charged with failing to maintain a record for each patient which accurately reflects the evaluation and treatment of the patient in violation of New York Education Law §6530(32), in that Petitioner charges:

2. The facts in Paragraphs A and A.1 and/or B and B.1 and/or C and C.1 and/or D and D.1.

DATED: *Sept 12,* 2000  
Albany, New York

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