



**Board for Professional Medical Conduct**

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

Mark R. Chassin, M.D., M.P.P., M.P.H.  
Commissioner

C. Maynard Guest, M.D.  
Executive Secretary

June 13, 1994

**CERTIFIED MAIL - RETURN RECEIPT REQUESTED**

Michael T. O'Gara, D.O.  
65 W. 4th Street  
Gold Beach, Oregon 97444

RE: License No. 113911-D

Dear Dr. O'Gara:

Enclosed please find Order #BPMC 94-83 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,

C. Maynard Guest, M.D.  
Executive Secretary  
Board for Professional Medical Conduct

Enclosure

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ESQ.

100-111  
A. Martini  
The Honorable  
R. O'Connell

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

-----X

IN THE MATTER :  
OF : ORDER  
MICHAEL T. O'GARA, D.O. : BPMC 94-83

-----X

Upon the Application of MICHAEL T. O'GARA, D.O. (Respondent) to Surrender his license as a physician in the State of New York, which Application is made a part hereof, it is

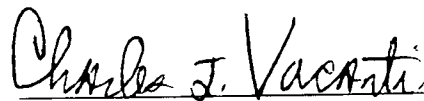
ORDERED, that the Application and the provisions thereof are hereby adopted; it is further

ORDERED, that the name of Respondent be stricken from the roster of physicians in the State of New York; 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 via certified mail, whichever is earliest.

SO ORDERED,

DATED: 6 June 1994



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 : APPLICATION TO  
OF : SURRENDER  
MICHAEL T. O'GARA, D.O. : LICENSE

-----X

STATE OF OREGON )  
COUNTY OF *LARRY* ) ss.:

MICHAEL T. O'GARA, D.O., being duly sworn, deposes and says:

On or about August 1, 1972, I was licensed to practice medicine as a physician in the State of New York having been issued License No. 113911-D by the New York State Education Department.

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 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 am applying to the State Board for Professional Medical Conduct for permission to surrender my license as a physician in

the State of New York.

I do not contest the two specifications of professional misconduct set forth in the Statement of Charges.

I hereby make this Application to the State Board for Professional Medical Conduct and request that it be granted.

I understand that, in the event that the Application 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 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 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 grants my Application, an 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 Application of my own free will and accord and not under duress, compulsion, or restraint of any kind or manner.

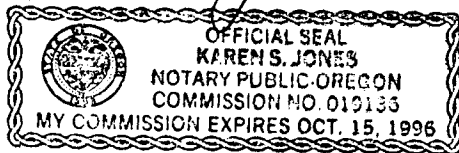
Michael T. O'Gara D.O.

MICHAEL T. O'GARA, D.O.  
Respondent

Sworn to before me this

26 day of May, 1994

Karen S. Jones  
NOTARY PUBLIC



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

-----X  
IN THE MATTER : APPLICATION TO  
OF : SURRENDER  
MICHAEL T. O'GARA, D.O. : LICENSE  
-----X

The undersigned agree to the attached application of the  
Respondent to surrender his license.

Date: 5-26-94, 1994

Michael T. O'Gara D.O.

MICHAEL T. O'GARA, D.O.  
Respondent

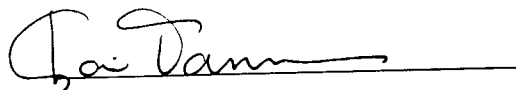
Date: 5/27, 1994

Barry A. Gold  
BARRY A. GOLD, Esq.  
Thuillez, Ford, Gold & Conolly  
Attorney for Respondent

Date: May 31, 1994

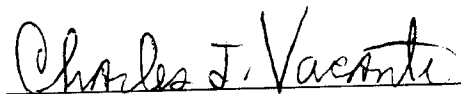
Timothy J. Mahar  
TIMOTHY J. MAHAR  
Assistant Counsel  
Bureau of Professional  
Medical Conduct

Date: June 9, 1994



KATHLEEN M. TANNER  
Director, Office of  
Professional Medical Conduct

Date: 6 June, 1994



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  
MICHAEL T. O'GARA, D.O. : CHARGES  
-----X

MICHAEL T. O'GARA, the Respondent, was authorized to practice medicine in New York State on August 1, 1972, by the issuance of license number 113911 by the New York State Education Department. Respondent is not currently registered with the New York State Education Department to practice medicine.

FACTUAL ALLEGATIONS

1. By Order dated July 13, 1989, the State of Oregon, Board of Medical Examiners (Oregon Board) found, among other things, Respondent to have made habitual or excessive use of intoxicants, drugs or controlled substances in violation of Oregon Revised Statutes (ORS) §677.190(7). More specifically, the Oregon Board found that Respondent was a current and frequent user of amphetamines and cocaine and that he had been habituated to cocaine over a prolonged period of time.



2. The Oregon Board revoked Respondent's license, stayed the revocation and placed Respondent on ten years probation. The terms of probation included, that Respondent abstain from the use of alcoholic beverages, and not use controlled substances, analogues or prescription drugs, unless prescribed by a physician in the course of treatment of a medical ailment.

3. By Order dated October 8, 1992, the Oregon Board found, inter alia, that Respondent had made habitual or excessive use of intoxicants, drugs or controlled substances in violation of ORS §677.190(7) and that he had violated the terms of probation imposed by the Oregon Board in its July 13, 1989 Order. More specifically, the Oregon Board found, that:

- a) Respondent had relapses in 1989 and 1991 for alcohol use;
- b) Respondent took Darvocet in December 1991, which had not been prescribed by another physician;
- c) Respondent was in treatment for alcohol and substance abuse for a period from February 17, 1992, to August 14, 1992.

4. The Oregon Board revoked Respondent's license, stayed revocation and extended Respondent's probation for a new ten year period commencing October 8, 1992.

5. The conduct upon which the Oregon Board found Respondent guilty of professional misconduct in 1989 and 1992 would, if committed in New York State, constitute professional misconduct under N.Y. Educ. Law §6530(8) [being a habitual abuser of alcohol or a habitual user of narcotics, barbituates, amphetamines, hallucinogens or other drugs having similar effects].

FIRST AND SECOND SPECIFICATIONS  
PROFESSIONAL MISCONDUCT BY OTHER STATE

Respondent is charged with professional misconduct within the meaning of N.Y. Educ. Law §6530(9)(b) (McKinney Supp. 1994) by reason of his having been 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 in paragraphs 1, 2 and 5.
2. The facts in paragraphs 3, 4 and 5.

DATED: Albany, New York

*April 13, 1994*

*Peter D. Van Buren*

PETER D. VAN BUREN

Deputy Counsel

Bureau of Professional Medical  
Conduct