



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

Charles J. Vacanti, M.D.
Chair

March 11, 1997

CERTIFIED MAIL-RETURN RECEIPT REQUESTED

William A. Omohundro, II, M.D.



RE: License No. 182877

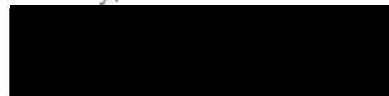
Dear Dr. Omohundro:

Enclosed please find Order #BPMC 97-62 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

Sincerely,



Charles Vacanti, M.D.
Chair
Board for Professional Medical Conduct

Enclosure

cc: Ariella M. Coleman, Esq.
Nathan Dembin & Associates, PC
225 Broadway, Suite 1400
New York, New York 10007

Claudia M. Bloch, Esq.

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

IN THE MATTER
OF
WILLIAM ADDISON OMOHUNDRO, II, M.D.


CONSENT
ORDER
BPMC #97-62

Upon the application of WILLIAM ADDISON OMOHUNDRO, II, M.D.
(Respondent) for Consent Order, which application is made a part hereof, it is
ORDERED, that the application and the provisions thereof are hereby
adopted and so ORDERED, 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.

SO ORDERED.

DATED: 4 March 1997


CHARLES J. VACANTI, M.D.
Chairperson
State Board for Professional
Medical Conduct

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

IN THE MATTER
OF
WILLIAM ADDISON OMOHUNDRO, II, M.D.

APPLICATION
FOR
CONSENT ORDER

STATE OF *Tennessee*)
COUNTY OF *Marion*) ss.:

WILLIAM ADDISON OMOHUNDRO II, M.D., being duly sworn, deposes and says:

That on or about July 2, 1990, I was licensed to practice as a physician in the State of New York, having been issued License No. 182877 by the New York State Education Department.

My current address is [REDACTED]

[REDACTED] 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 three specifications of professional misconduct.

A copy of the Statement of Charges is annexed hereto, made a part hereof, and marked as Exhibit "A".


I admit guilt to the third specification, in full satisfaction of the charges against me. I hereby agree to the penalty that my license to practice medicine in the State of New York shall be suspended for one (1) year, with the execution of the suspension stayed. I hereby further agree to a three (3) year period of probation in accordance with the terms set forth in Exhibit "B", annexed hereto and made a part hereof. The three year period of probation shall be tolled until such time as I resume the active practice of medicine in the State of New York.

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 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.


WILLIAM ADDISON OMOHUNDRO, II M.D.
RESPONDENT

Sworn to before me this

day of _____, 19 _____

NOTARY PUBLIC

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

IN THE MATTER
OF
WILLIAM ADDISON OMOHUNDRO, II, M.D.

APPLICATION
FOR
CONSENT ORDER

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

DATE: 2/24/97



WILLIAM ADDISON OMOHUNDRO, II M.D.
Respondent

DATE: 2/25/97



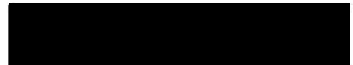
NATHAN DEMBIN, Esq.
Attorney for Respondent

DATE: 2/27/97



CLAUDIA MORALES BLOCH
Associate Counsel
Bureau of Professional
Medical Conduct

DATE: March 1997



ANNE F SAILF
Acting Director
Office of Professional Medical
Conduct

DATE: 4 March 1997



CHARLES J VACANTI, M.D
Chairperson
State Board for Professional
Medical Conduct

IN THE MATTER
OF
WILLIAM ADDISON OMOHUNDRO, II, M.D.

STATEMENT
OF
CHARGES

WILLIAM ADDISON OMOHUNDRO, II, M.D., the Respondent, was authorized to practice medicine in New York State on or about July 2, 1990, by the issuance of license number 182877 by the New York State Education Department.

FACTUAL ALLEGATIONS

- A. Respondent commenced an Anesthesiology Residency program at St. Joseph's Hospital Health Center, Syracuse, New York, (hereinafter referred to as "St. Joseph's") on July 1, 1990. Respondent was dismissed from said program for cause as follows:
1. On or about December 7, 1990, Respondent was suspended from the Anesthesiology Residency program pending investigation of incidents leading to the suspension.
 2. On or about December 21, 1990, Respondent was dismissed from the Anesthesiology Residency program for inappropriate behavior.
 3. Under Hospital procedures, Respondent appealed his dismissal from St. Joseph's to the Medical Education Committee at said

hospital. On or about January 24, 1991, the Medical Education Committee upheld the decision to terminate Respondent from the Anesthesiology Residency Program at St. Joseph's

- B. On or about December 24, 1990, Respondent made application for registration of his New York State medical license with the New York State Education Department, Division of Professional Licensing Service (hereinafter referred to as ("DPLS")), for the registration period of January 1, 1991 through December 30, 1992. In said application, Respondent willfully falsely answered "No" to the question on the application which asked: " FOR HEALTH PROFESSIONALS ONLY. Since you last registered, has any hospital or licensed facility restricted or terminated your professional training, employment or privileges or have you ever voluntarily or involuntarily resigned or withdrawn from such association to avoid imposition of such action due to professional misconduct, unprofessional conduct, incompetence or negligence?"
- C. On or about December 26, 1992, Respondent made application for registration of his New York State medical license with DPLS for the registration period of January 1, 1993 through December 31, 1994. In said application, Respondent willfully falsely answered "No" to the question on the application which asked: " FOR HEALTH PROFESSIONALS ONLY. Since you last registered, has any hospital or licensed facility restricted or terminated your professional training, employment or privileges or have you ever voluntarily or involuntarily resigned or withdrawn from such association to avoid imposition of such action due to professional misconduct,

unprofessional conduct, incompetence or negligence?"

D. On or about January 10, 1994, Respondent made application for licensure to the Florida Board of Medicine. In said application, Respondent made an intentional misrepresentation, in that he willfully failed to list his residency training at St. Joseph's Hospital and his termination from the Anesthesiology Residency program as set forth in paragraphs A(1) through A(3), supra.

1 Pursuant to Florida Statutes, the matter of the application for licensure of the Respondent came before the State of Florida Board of Medicine. On or about October 20, 1994, the State of Florida, Board of Medicine entered an Order denying Respondent's application for licensure based upon misrepresentations on his application for licensure, specifically his failure to list his training at St. Joseph's Hospital, his having received a less than favorable evaluation from his training program at State University of New York, his having received a less than favorable evaluation from his training program at St. Joseph's, his termination from the program at St. Joseph's and his failure to demonstrate his ability to practice medicine with skill and safety.

2. The conduct of Respondent, in willfully making and/or filing a false application for licensure as set forth in paragraphs D and D(1), supra, would, if committed in New York state, constitute professional misconduct under N.Y. Educ. Law Section 6530(21) (McKinney Supp. 1996).

SPECIFICATION OF CHARGES

FIRST AND SECOND SPECIFICATIONS WILLFULLY MAKING AND FILING A FALSE REPORT

Respondent is charged with committing professional misconduct within the meaning of N.Y. Educ. Law Section 6530(21) (McKinney Supp. 1996) by willfully making and/or filing a false report in that Petitioner charges the following:

1. The facts in paragraph B.
2. The facts in paragraph C.

THIRD SPECIFICATION APPLICATION FOR LICENSE REFUSED IN ANOTHER STATE

Respondent is charged with professional misconduct within the meaning of N.Y. Educ. Law Section 6530(9)(d) (McKinney Supp. 1996) in that Respondent had his application for license refused after disciplinary action was instituted by a duly authorized professional disciplinary agency of another state where the conduct resulting in the refusal of his application for a license would, if committed in New York state, constitute professional misconduct under the laws of New York state, in that Petitioner charges the following:

3. The facts in paragraphs D, D(1), and D(2).

DATED: May 1996
New York, New York



ROY NEMERSON
Deputy Counsel
Bureau of Professional
Medical Conduct

EXHIBIT "B"
TERMS OF PROBATION

1. WILLIAM ADDISON OMOHUNDRO, II, M.D., during the period of probation, shall conduct himself in all ways in a manner befitting his professional status, and shall conform fully to the moral and professional standards of conduct imposed by law and by his profession;
2. Respondent shall submit written notification to the New York State Department of Health (NYSDOH), addressed to the Director, Office of Professional Medical Conduct, New York State Department of Health, Corning Tower Building, 4th Floor, Empire State Plaza, Albany, New York 12237 of any employment and practice, of Respondent's residence and telephone number, and of any change in Respondent's employment, practice, residence, or telephone number within or without the State of New York;
3. Respondent shall submit written proof from the Division of Professional Licensing Services (DPLS), New York State Education Department (NYSED), that Respondent has paid all registration fees due and owing to the NYSED and Respondent shall cooperate with and submit whatever papers are requested by DPLS in regard to said registration fees, said proof from DPLS to be submitted by Respondent to the New York State Department of Health, addressed to the Director, Office of Professional Medical Conduct, as aforesaid, within the first three months of the period of probation;
4. Respondent shall submit written proof to the NYSDOH, addressed to the Director, Office of Professional Medical Conduct, as aforesaid, that 1) Respondent is currently registered with the NYSED, unless Respondent submits written proof that Respondent has advised DPLS, NYSED, that Respondent is not engaging in the practice of Respondent's profession in the State of New York and does not desire to register, and that 2) Respondent has paid any fines which may have previously been imposed upon Respondent by the Board or by the Board of Regents; said proof of the above to be submitted no later than the first two months of the period of probation;
5. Respondent shall comply with all terms, conditions, restrictions, and penalties to which he is subject pursuant to the order of the Board and shall assume and bear all costs related to compliance with the Terms of Probation;
6. Any civil penalty not paid by the date prescribed herein shall be subject to all provisions of law relating to debt collection by the State of New York. This includes but is not limited to the imposition of interest, late payment charges and collection fees; referral to the New York State Department of Taxation and Finance for collection; and non renewal of permits or licenses (Tax Law §171(27); State Finance Law §18; CPLR §5001; Executive Law §32);
7. So long as there is full compliance with every term herein set forth, Respondent may continue to practice his aforementioned profession in accordance with the terms of probation; provided, however, that upon receipt of evidence of noncompliance with, or any violation of these terms

the Director of the Office of Professional Medical Conduct and/or the Board may initiate a violation of probation proceeding and/or such other proceeding against Respondent as may be authorized pursuant to the Public Health Law.

8. The period of probation shall be tolled until and unless Respondent engages in the active practice of medicine in the State of New York. Respondent shall, within 30 days of the effective date of this Consent Order, notify the Director of the Office of Professional Medical Conduct, in writing, as to whether or not he is so engaged. Furthermore, until completion of the term of probation, he shall notify the Director, in writing, prior to any change in that status.
9. Respondent shall be supervised in his medical practice, at all locations, by an individual selected by Respondent and approved in advance, in writing, by the Director of the Office of Professional Medical Conduct or designee. Respondent may not practice medicine until an approved practice supervisor is in place. Any practice of medicine prior to the submission and approval of a proposed practice supervisor will be determined to be a violation of probation.
10. Respondent shall ensure that the practice supervisor is familiar with the Order and terms of probation, and willing to report to the Office of Professional Medical Conduct.
11. The practice supervisor shall provide quarterly written reports to the Director of the Office of Professional Medical Conduct or designee regarding the Respondent's practice. These narrative reports shall address clinical practice including findings of selected patient record reviews, medical record keeping practices, general demeanor, time and attendance behavior, relationships with staff and patients, and other such on-duty conduct as the supervisor deems appropriate to report.
12. Should the approved practice supervisor indicate an inability or unwillingness to continue in that role, Respondent shall submit the name of a proposed successor within ten (10) days of learning that the approved practice supervisor is no longer willing or able to serve.
13. Respondent shall cooperate with and respond, in a timely manner, to periodic requests from the Office of Professional Medical Conduct to provide written verification of the Respondent's compliance with this Order and the terms of probation set forth herein. At the discretion and request of the Director of the Office of Professional Medical Conduct or designee, the Respondent hereby agrees to personally meet with a member of OPMC regarding said compliance.