



THE STATE EDUCATION DEPARTMENT / THE UNIVERSITY OF THE STATE OF NEW YORK / ALBANY, N.Y. 12230

OFFICE OF PROFESSIONAL DISCIPLINE, A.V. ZOGG BLDG., 800 FOURTH STREET, RM. 317, LIVERPOOL, NEW YORK 13088

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OFFICE OF PROFESSIONAL DISCIPLINE
MEDICAL SERVICES

April 26, 1995

Luis A. Ortiz, Registered Physician's Assistant
3300 Bailey Avenue
Apt. D-8
Bronx, New York 10463

Re: Application for Restoration

Dear Mr. Ortiz:

Enclosed please find the Commissioner's Order regarding Case No. 95-01-23R which is in reference to Calendar No. 0014620. This order and any decision contained therein goes into effect five (5) days after the date of this letter.

Very truly yours,

DANIEL J. KELLEHER
Director of Investigations

By:

Gustave Martine
Gustave Martine
Supervisor

The University of the State of New York
Education Department



IN THE MATTER

of the

Application of LUIS A. ORTIZ for
restoration of his registration to practice as
a physician's assistant in the State of New York

Case No. 95-01-23R

It appearing that the registration of LUIS A. ORTIZ, 3300 Bailey Avenue, Apt. D8, Bronx, New York 10463, to practice as a physician's assistant in the State of New York, was revoked by action of the Board of Regents on October 24, 1986, and he having petitioned the Board of Regents for restoration of said registration, and the Regents having given consideration to said petition, and having agreed with and accepted the recommendation of the Committee on the Professions, now, pursuant to action taken by the Board of Regents on March 17, 1995, it is hereby

ORDERED that the petition for restoration of registration No. P. A. 001020, authorizing LUIS A. ORTIZ to practice as a physician's assistant in the State of New York, is denied, but that the execution of the order of revocation of said registration is stayed, and petitioner is placed on probation for a period of two years under certain terms and conditions, said period of probation to commence when petitioner begins employment as a registered physician's assistant in New York State and to end two years from that date.

IN WITNESS WHEREOF, I, THOMAS SOBOL,
Commissioner of Education of the State of New York,
for and on behalf of the State Education Department, do
hereunto set my hand and affix the seal of the State
Education Department at the City of Albany, this 3rd
day of April, 1995.



Thomas Sobol

Commissioner of Education

Case No. 95-01-23R

It appearing that the registration of LUIS A. ORTIZ 3300 Bailey Avenue, Apt. D8, Bronx, New York 10463, to practice as a physician's assistant in the State of New York, having been revoked by action of the Board of Regents on October 24, 1986, and he having petitioned the Board of Regents for restoration of said registration, and the Regents having given consideration to said petition, and having agreed with and accepted the recommendation of the Committee on the Professions, now, pursuant to action taken by the Board of Regents on March 17, 1995 it was

VOTED that the petition for restoration of registration No. P. A. 001020, authorizing LUIS A. ORTIZ to practice as a physician's assistant in the State of New York, be denied, but that the execution of the order revoking said registration be stayed, and that petitioner be placed on probation for a period of two years under certain terms and conditions, said period of probation to commence when petitioner begins employment as a registered physician's assistant in New York State and to end two years from that date.

TERMS OF PROBATION
OF THE COMMITTEE ON THE PROFESSIONS

LUIS A. ORTIZ

1. That petitioner shall make quarterly visits to an employee of and selected by the Office of Professional Medical Conduct of the New York State Department of Health, unless said employee agrees otherwise as to said visits, for the purpose of determining whether petitioner is in compliance with the following:
 - a. That petitioner, during the period of probation, shall be in compliance with the standards of conduct prescribed by the law governing petitioner's profession;
 - b. That petitioner shall submit written notification to the New York State Department of Health, addressed to the Director, Office of Professional Medical Conduct, Empire State Plaza, Albany, NY 12234, of any employment and/or practice, petitioner's residence, telephone number, and mailing address, and of any change in petitioner's employment, practice, residence, telephone number, and mailing address within or outside the State of New York;
 - c. That petitioner shall submit written proof from the Division of Professional Licensing Services (DPLS), New York State Education Department (NYSED), that petitioner has paid all registration fees due and owing to the NYSED and petitioner 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 petitioner to the New York State Department of Health, addressed to the Director, Office of Professional Medical Conduct, as aforesaid, no later than the first three months of the period of probation;
 - d. That petitioner shall submit written proof to the New York State Department of Health, addressed to the Director, Office of Professional Medical Conduct, as aforesaid, that 1) petitioner is currently registered with the NYSED, unless petitioner submits written proof to the New York State Department of Health, that petitioner has advised DPLS, NYSED, that petitioner is not engaging in the practice of petitioner's profession in the State of New York and does not desire to register, and that 2) petitioner has paid any fines which may have

previously been imposed upon petitioner 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;

2. If the Director of the Office of Professional Medical Conduct determines that petitioner may have violated probation, the Department of Health may initiate a violation of probation proceeding and/or such other proceedings pursuant to the Public Health Law, Education Law, and/or Rules of the Board of Regents.

THE UNIVERSITY OF THE STATE OF NEW YORK
The State Education Department

Report of the Committee on the Professions
Application for Restoration of
Registered Physician Assistant License

Re: **Luis A. Ortiz aka Louis Andres Ortiz-Rosario**

Not represented by counsel

Luis A. Ortiz, 3300 Bailey Avenue, Apt. D8, Bronx, New York 10463, petitioned for the restoration of his registered physician assistant license. The chronology of events is as follows:

- 10/20/78 Licensed to practice as a registered physician assistant in New York State.
- 05/09/85 Pled guilty to violating §6512(1) of the Education Law. (See "Disciplinary History.")
- 09/26/86 Regents Review Committee recommended that license be revoked.
- 10/24/86 Regents voted revocation.
- 01/21/87 Commissioner's Order effective.
- 05/23/92 Petition for restoration submitted.
- 10/28/94 Peer Panel restoration review.
- 11/03/94 Recommendation of Peer Review Panel. (See "Recommendation of the Peer Review Panel.")
- 01/04/95 Report and recommendation of Committee on the Professions. See "Recommendation of the Committee on the Professions.")

Disciplinary History. (See attached report of the Regents Review Committee.) On April 24, 1986, the Department of Health charged Mr. Ortiz with professional misconduct in that he had been convicted of committing an act constituting a crime under New York State Law. On May 9, 1985, Mr. Ortiz had pled guilty to the crimes of Conspiracy in the Fifth Degree, and Criminal Possession of a Forged Instrument in the Second Degree. Mr. Ortiz was sentenced to three years probation. On September 26, 1986, the Regents Review Committee (Sclafani, Bolin, Picariello) recommended that Mr. Ortiz' license be revoked. On October 24, 1986, the Board of Regents voted to revoke Mr. Ortiz' license. The Commissioner's Order became effective on January 21, 1987.

Recommendation of the Peer Review Panel. (See attached report of the Peer Review Panel.) The Peer Review Panel (Iraj, Gujavarty, Santiago) met on October 28, 1994. In its report, dated November 3, 1994, the Panel recommended that the revocation of Mr. Ortiz' license be stayed, and that he be placed on probation for two years under specified terms and conditions.

Recommendation of the Committee on the Professions. On January 4, 1995, Mr. Luis A. Ortiz appeared before the Committee on the Professions (Ahearn, Sauer, Nolan). He was not represented by an attorney, however, his wife was present as an observer.

In his opening remarks to the Committee, Mr. Ortiz stated that he had always been totally committed to his career as a registered physician assistant. He stated he was pleased with the recommendation of the Peer Panel to allow him to resume that career.

If his license is restored, Mr. Ortiz stated that he would cease his current employment and find a position as a registered physician assistant. He explained that he had not made any specific inquiries about employment since he believed he should not do so until his license was restored. However, he prefers to work in a methadone clinic primarily because he has more experience in this field of practice. He stated he would also be willing to work in the area of primary care.

Mr. Ortiz asserted that he has maintained his certification from the National Commission for the Certification of Physician Assistants (NCCPA) by completing its continuing education requirement of 100 hours every two years.

In response to a question from the Committee, Mr. Ortiz explained that he came to the realization that his dealings with Universidad Centro de Estudios Tecnicos (CETEC) were wrong about the time that he joined Jehovah Witnesses. He stated he now regrets his involvement with CETEC and would never be involved in such misrepresentation again.

Mr. Ortiz explained to the Committee that when he lost his license he believed he could never again work as a registered physician assistant. He was not aware of the restoration process. His lawyer did not advise him of this possibility for the restoration of his license. He credits Dr. Martin Valdez for making him aware of the opportunity and supporting his desire to reenter the profession.

The Committee on the Professions has reviewed the entire record including the unanimous recommendation of the Peer Review Panel. The Committee agrees with the Peer Review Panel regarding the petitioner's remorse, rehabilitation, and his effort to keep current in his education.

Based on all of the foregoing, the Committee voted unanimously to recommend to the Board of Regents that the Commissioner's Order revoking Mr. Ortiz' license be stayed, and that he be placed on probation under the terms specified and attached to the Peer Review Panel report as exhibit "B." Said probation to commence when Mr. Ortiz begins employment as a registered physician assistant in New York State and to end two years thereafter.