



Barbara A. DeBuono, M.D., M.P.H.
Commissioner of Health

Public
New York State Board for Professional Medical Conduct

433 River Street, Suite 303 Troy, New York 12180-2299 • (518) 402-0863

Patrick F. Carone, M.D., M.P.H.
Chair
Ansel R. Marks, M.D., J.D.
Executive Secretary

November 12, 1997

CERTIFIED MAIL-RETURN RECEIPT REQUESTED

Lloyd G. Bayme, M.D.
REDACTED

RE: License No. 087211

Dear Dr. Bayme:

Enclosed please find Order #BPMC 97-279 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,

REDACTED

Ansel R. Marks, M.D., J.D.
Executive Secretary
Board for Professional Medical Conduct

Enclosure

cc: Michael S. Kelton, Esq.
Lippman, Krasnow & Kelton, LLP
711 Third Avenue
New York, New York 10017

Daniel Guenzburger, Esq.

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

IN THE MATTER
OF
LLOYD G. BAYME, M.D.

SURRENDER
ORDER

Upon the proposed agreement of LLOYD G. BAYME, M.D. (Respondent) to Surrender 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 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; 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: 11/6/97

REDACTED

PATRICK F. CARONE, M.D., M.P.H.
Chairperson
State Board for Professional
Medical Conduct

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

IN THE MATTER
OF
LLOYD G. BAYME, M.D.

SURRENDER
OF
LICENSE

STATE OF NEW YORK)
COUNTY OF NEW YORK) ss.:

LLOYD G. BAYME, M.D., being duly sworn, deposes and says:

On or about December 19, 1962, I was licensed to practice medicine as a physician in the State of New York having been issued License No. 087211 by the New York State Education Department.

My current address is REDACTED), and I will advise the Director of the Office of Professional Medical Conduct of any change of my address.

I understand that I have been charged with 908 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 on the grounds that I agree not to contest the allegations in the five hundred forty-fifth through seven hundred twenty-fifth specifications in full satisfaction of 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.

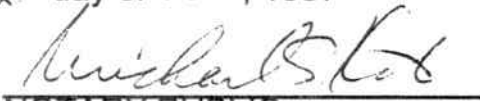
I am making this Application of my own free will and accord and not under duress, compulsion or restraint of any kind or manner. In consideration of the value to me of the acceptance by the Board of this Application, allowing me to resolve this matter without the various risks and burdens of a hearing on the merits, I knowingly waive any right I may have to contest the Surrender Order for which I hereby apply, whether administratively or judicially, and ask that the Application be granted.

REDACTED

LLOYD G. BAYME, M.D.
RESPONDENT

Sworn to before me this

27th day of Oct., 1997


NOTARY PUBLIC

MICHAEL S. KELTON
Notary Public, State of New York
No. 44-4668920
Qualified in Rockland Co.
Commission Expires September 30, 1998

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

Date: 10/27/97

REDACTED

MICHAEL S. KELTON, Esq.
Attorney for Respondent

Date: 10/3/97

REDACTED

DANIEL GUENZBURGER
Assistant Counsel
Bureau of Professional
Medical Conduct

Date: Nov 5, 1997

REDACTED

ANNE F. SAILE
Director
Office of Professional Medical Conduct

C

C

"EXHIBIT A"

**IN THE MATTER
OF
LLOYD G. BAYME, M.D.**

**STATEMENT
OF
CHARGES**

LLOYD G. BAYME, M.D., the Respondent, was authorized to practice medicine in New York State on or about February 19, 1962, by the issuance of license number 087211 by the New York State Education Department.

FACTUAL ALLEGATIONS

- A. At all times relevant to the factual allegations the Respondent, a board certified surgeon, maintained an office at 749 Ocean Parkway, Brooklyn, NY. Respondent issued the following prescriptions for controlled substances, including but not limited to prescriptions for Percocet, Seconal, Tuinal, and Xanax, without taking adequate histories, without performing adequate physical examinations, and without adequate medical indication:
1. Two prescriptions for Tuinal respectively dated September 12, 1994 and October 20, 1994 purportedly issued to Patient A.
 2. One prescription for Percocet dated January 4, 1994 purportedly issued to Patient B.
 3. One prescription for Seconal dated January 20, 1996 purportedly issued to Patient C.
 4. One prescription for Seconal dated January 9, 1996 purportedly issued to Patient D.
 5. One prescription for Seconal dated December 29, 1995 and one

- prescription for Tuinal dated February 23, 1996, purportedly issued to Patient E.
6. One prescription for Tuinal dated February 22, 1996 purportedly issued to Patient F.
 7. One prescription for Percocet dated September 19, 1995 purportedly issued to Patient G.
 8. One prescription for Seconal dated January 17, 1996 purportedly issued to Patient H.
 9. One prescription for Tuinal dated May 21, 1995 purportedly issued to Patient I.
 10. Two prescriptions for Tuinal dated September 25, 1995 and October 11, 1995 purportedly issued to Patient J.
 11. One prescription for Percocet dated November 18, 1995 purportedly issued to Patient K.
 12. Two prescriptions for Percocet respectively dated January 10, 1996 and February 10, 1996 purportedly issued to Patient L.
 13. One prescription for Seconal dated November 27, 1995 purportedly issued to Patient M.
 14. One prescription for Percocet dated January 19, 1996 purportedly issued to Patient N.
 15. One prescription for Tuinal dated January 2, 1996 purportedly issued to Patient O.
 16. One prescription for Seconal dated January 9, 1996 purportedly issued to Patient P.
 17. One prescription for Seconal dated January 9, 1996 purportedly issued to Patient Q.
 18. One prescription for Seconal dated January 10, 1996 purportedly

- issued to Patient R.
19. One prescription for Percocet dated January 3, 1996 purportedly issued to Patient S.
 20. One prescription for Percocet dated January 6, 1996 purportedly issued to Patient T.
 21. One prescription for Seconal dated December 28, 1995 purportedly issued to Patient U.
 22. One prescription for Percocet dated January 9, 1996 purportedly issued to Patient V.
 23. One prescription for Tuinal dated January 8, 1996 purportedly issued to Patient W.
 24. One prescription for Tuinal dated December 26, 1995 purportedly issued to Patient X.
 25. One prescription for Tuinal dated December January 2, 1996 issued to Patient Y.
 26. One prescription for Tuinal dated December 29, 1995 purportedly issued to Patient Z.
 27. One prescription for Seconal dated December 29, 1996 purportedly issued to Patient AA.
 28. One prescription for Seconal dated December 29, 1996 purportedly issued to Patient BB.
 29. One prescription for Seconal dated January 5, 1996 purportedly issued to Patient CC.
 30. One prescription for Seconal dated January 8, 1996 purportedly issued to Patient FF.
 31. One prescription for Seconal dated January 8, 1996 purportedly issued to Patient GG.

32. One prescription for Seconal dated January 8, 1996 purportedly issued to Patient HH..
33. One prescription for Seconal dated January 9, 1996 purportedly issued to Patient II.
34. One prescription for Seconal dated January 9, 1996 purportedly issued to Patient JJ.
35. One prescription for Tuinal dated January 9, 1996 purportedly issued to Patient KK.
36. One prescription for Seconal dated January 9, 1996 purportedly issued to Patient LL.
37. One prescription of Seconal dated January 8, 1996 purportedly issued to Patient MM.
38. One prescription for Percocet dated January 2, 1996 purportedly issued to Patient NN.
39. One prescription for Percocet dated December 26, 1995 purportedly issued to Patient OO.
40. One prescription for Percocet dated December 26, 1995 purportedly issued to Patient PP.
41. One prescription for Seconal dated December 28, 1995 purportedly issued to Patient QQ.
42. One prescription for Percocet dated December 26, 1995 purportedly issued to Patient RR.
43. One prescription for Seconal dated December 28, 1995 purportedly issued to Patient SS.
44. One prescription for Tuinal dated December 26, 1995 purportedly issued to Patient TT.
45. One prescription for Seconal dated December 28, 1995

- purportedly issued to Patient UU.
46. One prescription for Seconal dated December 27, 1995 purportedly issued to Patient VV.
 47. One prescription for Tuinal dated December 29, 1995 purportedly issued to Patient WW..
 48. One prescription for Seconal dated December 28, 1995 purportedly issued to Patient XX.
 49. One prescription for Tuinal dated January 2, 1996 purportedly issued to Patient YY.
 50. One prescription for Seconal dated January 4, 1996 purportedly issued to Patient ZZ.
 51. One prescription for Percocet dated January 5, 1996 purportedly issued to Patient AAA.
 52. One prescription for Seconal dated January 5, 1996 purportedly issued to Patient BBB.
 53. One prescription for Valium dated January 4, 1996 purportedly issued to Patient CCC.
 54. One prescription for Seconal dated December 27, 1995 purportedly issued to Patient DDD
 55. One prescription for Percocet dated November 6, 1995 purportedly issued to Patient EEE
 56. One prescription for Percocet dated November 8, 1995 purportedly issued to Patient FFF.
 57. One prescription for Seconal dated November 8, 1995 purportedly issued to Patient GGG.
 58. One prescription for Percocet dated November 9, 1995 purportedly issued to Patient HHH.

59. One prescription Seconal dated November 10, 1995 purportedly issued to Patient III.
60. One prescription for Tuinal dated November 10, 1995 purportedly issued to Patient JJJ.
61. One prescription for Tuinal dated November 12, 1995 purportedly issued to Patient KKK.
62. One prescription for Seconal dated November 12, 1995 purportedly issued to Patient LLL.
63. One prescription for Seconal dated November 12, 1995 purportedly issued to Patient MMM.
64. One prescription of Seconal dated November 12, 1995 purportedly issued to Patient OOO.
65. One prescription of Seconal dated November 7, 1995 purportedly issued to Patient PPP.
66. One prescription for Percocet dated November 11, 1995 purportedly issued to Patient QQQ
67. One prescription for Seconal dated November 11, 1995 purportedly issued to Patient RRR.
68. One prescription for Seconal dated November 10, 1995 purportedly issued to Patient SSS.
69. One prescription for Seconal dated November 8, 1995 purportedly issued to Patient TTT.
70. One prescription for Tuinal dated November 8, 1995 purportedly issued to Patient UUU.
71. One prescription for Seconal dated November 7, 1995 purportedly issued to Patient VVV.
72. One prescription for Seconal dated November 7, 1995

- purportedly issued to Patient WWW.
73. One prescription for Xanax dated November 6, 1995 purportedly issued to Patient XXX.
 74. One prescription for Tuinal dated September 7, 1995 purportedly issued to Patient YYY.
 75. One prescription for Seconal dated September 7, 1995 purportedly issued to Patient ZZZ.
 76. One prescription for Seconal dated August 3, 1995 purportedly issued to Patient AAAA.
 77. One prescription for Tuinal dated August 30, 1995 purportedly issued to Patient BBBB.
 78. One prescription for Tuinal dated August 30, 1995 purportedly issued to Patient CCCC.
 79. One prescription for Percocet dated August 29, 1995 purportedly issued to Patient DDDD.
 80. One prescription for Seconal dated September 6, 1995 purportedly issued to Patient EEEE.
 81. One prescription for Percocet dated September 1, 1995 purportedly issued to Patient FFFF.
 82. One prescription for Seconal dated August 23, 1995 purportedly issued to Patient GGGG.
 83. One prescription for Seconal dated August 24, 1995 purportedly issued to Patient HHHH.
 84. One prescription for Seconal dated August 24, 1995 purportedly issued to Patient IIII.
 85. One prescription for Seconal dated August 28, 1995 purportedly issued to Patient JJJJ.

86. One prescription for Seconal dated August 28, 1995 purportedly issued to Patient KKKK.
87. One prescription for Percocet dated August 28, 1995 purportedly issued to Patient LLLL.
88. One prescription for Percocet dated August 28, 1995 purportedly issued to Patient MMMM.
89. One prescription for Percocet dated August 28, 1995 purportedly issued to Patient NNNN.
90. One prescription for Percocet dated August 29, 1995 purportedly issued to Patient OOOO.
91. One prescription for Percocet dated August 29, 1995 purportedly issued to Patient PPPP.
92. One prescription for Percocet dated August 29, 1995 purportedly issued to Patient RRRR.
93. One prescription for Tuinal dated August 29, 1995 purportedly issued to Patient SSSS.
94. One prescription for Tuinal dated August 20, 1995 purportedly issued to Patient TTTT.
95. One prescription for Tuinal dated August 30, 1995 purportedly issued to Patient UUUU.
96. One prescription for Tuinal dated August 30, 1995 purportedly issued to Patient VVVV.
97. One prescription for Seconal dated August 31, 1995 purportedly issued to Patient WWWW.
98. One prescription for Seconal dated August 31, 1995 purportedly issued to Patient XXXX.
99. One prescription for Percocet dated September 1, 1995

- purportedly issued to Patient YYYY.
100. One prescription for Percocet dated September 1, 1995 purportedly issued to Patient ZZZZ.
 101. One prescription for Seconal dated September 5, 1995 purportedly issued to Patient AAAAA.
 102. One prescription for Percodan dated September 5, 1995 purportedly issued to Patient BBBBB.
 103. One prescription for Percodan dated September 5, 1995 purportedly issued to Patient CCCCC.
 104. One prescription for Seconal dated September 6, 1995 purportedly issued to Patient DDDDD.
 105. One prescription for Tuinal dated September 6, 1995 purportedly issued to Patient EEEEE.
 106. One prescription for Tuinal dated September 7, 1995 purportedly issued to Patient FFFFF.
 107. One prescription for Seconal dated September 7, 1997 purportedly issued to Patient GGGGG.
 108. One prescription for Seconal dated September 7, 1997 purportedly issued to Patient HHHHH.
 109. One prescription for Seconal dated September 8, 1995 purportedly issued to Patient IIIII.
 110. One prescription of Seconal dated June 28, 1995 purportedly issued to Patient JJJJJ.
 111. One prescription of Seconal dated June 28, 1995 purportedly issued to Patient KKKKK.
 112. One prescription of Percocet dated June 29, 1995 purportedly issued to Patient LLLLL.

113. One prescription of Percocet dated June 29, 1995 purportedly issued to Patient MMMMM.
114. One prescription of Tuinal dated June 29, 1995 ourportedly issued to Patient NNNNN.
115. One prescriptionof Percocet dated June 29, 1995 purportedly issued to Patient OOOOO.
116. One prescription of Seconal dated June 29, 1995 purportedly issued to Patient PPPPP.
117. One prescription of Percodan dated June 29, 1995 purportedly issued to Patient QQQQQ.
118. One prescription of Percocet dated June 30, 1995 purportedly issued to Patient RRRRR.
119. One prescription of Seconal dated June 30, 1995 purportedly issued to Patient SSSSS.
120. One prescription of Seconal dated June 30, 1995 purportedly issued to Patient TTTTT.
121. One prescription of Seconal dated June 30, 1995 purportedly issued to Patient UUUUU.
122. One prescription of Seconal dated June 30, 1995 purportedly issued to Patient VVVVV.
123. One prescription of Seconal dated July 1, 1995 purportedly issued to Patient WWWW.
124. One prescription of Seconal dated July 1. 1995 purportedly issued to Patient XXXX.
125. One prescription of Seconal dated July 5, 1995 purportedly issued to Patient YYYYY.
126. One prescription of Seconal dated July 5, 1995 purportedly

- issued to Patient ZZZZZ.
127. One prescription of Seconal dated July 5, 1995 purportedly issued to Patient AAAAAA.
 128. One prescription of Seconal dated July 5, 1995 purportedly issued to Patient BBBBBB.
 129. One prescription of Seconal dated April 25, 1995 purportedly issued to Patient CCCCCC.
 130. One prescription of Percocet dated April 27, 1995 purportedly issued to Patient DDDDDD.
 131. One prescription of Seconal dated April 24, 1995 purportedly issued to Patient EEEEEEE.
 132. One prescription of Seconal dated April 24, 1995 purportedly issued to Patient FFFFFFF.
 133. One prescription of Seconal dated April 24, 1995 purportedly issued to Patient GGGGGG.
 134. One prescription of Seconal dated April 25, 1995 purportedly issued to Patient HHHHHH.
 135. One prescription of Seconal dated April 21, 1995 purportedly issued to Patient IIIIII.
 136. One prescription of Seconal dated April 22, 1995 purportedly issued to Patient KKKKKK.
 137. One prescription of Seconal dated April 22, 1995 purportedly issued to Patient LLLLLL.
 138. One prescription of Seconal dated April 24, 1995 purportedly issued to Patient MMMMMM.
 139. One prescription of Tuinal dated April 21, 1995 purportedly issued to Patient NNNNNN.

140. One prescription of Percocet dated April 21, 1995 purportedly issued to Patient OOOOOO.
141. One prescription of Percocet dated April 21, 1995 purportedly issued to Patient PPPPPP.
142. One prescription of Seconal dated June 30, 1995 purportedly issued to Patient QQQQQQ.
143. One prescription of Tuinal dated January 30, 1995 purportedly issued to Patient RRRRRR.
144. One prescription of Doriden dated January 28, 1995 purportedly issued to Patient SSSSSS.
145. One prescription of Percocet dated January 30, 1995 purportedly issued to Patient TTTTTT.
146. One prescription of Doriden dated January 27, 1995 purportedly issued to Patient UUUUUU.
147. One prescription of Percocet dated February 6, 1995 purportedly issued to Patient VVVVVV.
148. One prescription of Percocet dated January 30, 1995 purportedly issued to Patient WWWWWW.
149. One prescription of Tuinal dated February 6, 1995 purportedly issued to Patient XXXXXX.
150. One prescription of Tuinal dated January 30, 1995 purportedly issued to Patient YYYYYY.
151. One prescription of Doriden dated January 26, 1995 purportedly issued to Patient ZZZZZZ.
152. One prescription of Doriden dated January 26, 1995 purportedly issued to Patient AAAAAA.
153. One prescription of Percocet dated January 26, 1995 purportedly

issued to Patient BBBBbbb.

154. One prescription of Tuinal dated February 8, 1995 Tuinal, 1995 purportedly issued to Patient CCCCCCC.
155. One prescription of Tuinal dated February 8, 1995, 1995 purportedly issued to Patient DDDDDDD.
156. One prescription of Tuinal dated November 14, 1995 purportedly issued to Patient EEEEEEE.
157. One prescription of Seconal dated November 12, 1994 purportedly issued to Patient FFFFFFF.
158. One prescription of Tuinal dated November 10, 1994 purportedly issued to Patient GGGGGGG.
159. One prescription of Percocet dated November 10, 1994 purportedly issued to Patient HHHHHHH.
160. One prescription of Seconal dated November 10, 1994 purportedly issued to Patient IIIIII.
161. One prescription of Percocet dated November 9, 1994 purportedly issued to Patient JJJJJJJ.
162. One prescription of Seconal dated November 9, 1994 purportedly issued to Patient KKKKKKK.
163. One prescription of Seconal dated November 9, 1994 purportedly issued to Patient LLLLLLL.
164. One prescription of Seconal dated November 9, 1994 purportedly issued to Patient MMMMMMM.
165. One prescription of Seconal dated November 8, 1994 purportedly issued to Patient NNNNNNN.
166. One prescription of Seconal dated November 8, 1994 purportedly issued to Patient OOOOOOO.

167. One prescription of Seconal dated November 8, 1994 purportedly issued to Patient PPPPPPP.
168. One prescription of Seconal dated November 8, 1994 purportedly issued to Patient QQQQQQQ.
169. One prescription of Seconal dated November 8, 1994 purportedly issued to Patient RRRRRRR.
170. One prescription of Seconal dated November 7, 1994 purportedly issued to Patient SSSSSSS.
171. One prescription of Seconal dated November 7, 1994, 1995 purportedly issued to Patient TTTTTTT.
172. One prescription of Percocet dated November 5, 1994 purportedly issued to Patient UUUUUUU.
173. One prescription of Percocet dated August 29, 1994 purportedly issued to Patient VVVVVV.
174. One prescription of Percocet dated August 29, 1994 purportedly issued to Patient WWWWWW.
175. One prescription of Seconal dated August 29, 1994 purportedly issued to Patient XXXXXX.
176. One prescription of Seconal dated August 28, 1994 purportedly issued to Patient YYYYYYY.
177. One prescription of Seconal dated August 28, 1994 purportedly issued to Patient ZZZZZZZ.
178. One prescription of Seconal dated August 28, 1994 purportedly issued to Patient AAAAAAA.
179. One prescription of Seconal dated August 28, 1994 purportedly issued to Patient BBBBBBBB.

180. One prescription of Seconal dated August 28, 1994 purportedly issued to Patient CCCCCCCC.

- B. Respondent wrote the prescriptions referred to in paragraphs A1 to A180 knowingly intending to create a false belief that he had issued the prescriptions within the scope of proper medical practice and for appropriate medical reasons, when in fact, he knew that he issued the prescriptions outside the scope of proper medical practice and without appropriate medical reasons.
- C. Respondent failed to respond within thirty days to written requests from the Office of Professional Medical Conduct requesting medical records of Patients A, B, C, F, H, I, J, M, and N. The written requests were respectively dated December 17, 1996 and August 5, 1997.
- D. Respondent failed to maintain a record which accurately reflects the evaluation and treatment of the patients referred to in paragraphs A1 through A180.

SPECIFICATION OF CHARGES

FIRST SPECIFICATION

MORAL UNFITNESS

Respondent is charged with committing professional misconduct as defined in N.Y. Educ. Law §6530(20)(McKinney Supp. 1997) by engaging in conduct in the practice of the profession of medicine that evidences moral unfitness to practice, as alleged in the facts Paragraphs A, A1 through A180, and B.

SECOND THROUGH ONE HUNDRED AND EIGHTY-ONE SPECIFICATIONS

FRAUDULENT PRACTICE

Respondent is charged with committing 180 separate and distinct acts of professional misconduct as defined by N.Y. Educ. Law §6530(2)(McKinney Supp. 1997), by practicing the profession of medicine fraudulently, as alleged in the facts of Paragrapha A, A1 through A180, and B .

ONE HUNDRED AND EIGHTY- SECOND THROUGH THREE HUNDRED AND SIXTY-SECOND SPECIFICATIONS

FALSE REPORT

Respondent is charged with committing professional misconduct as defined in N.Y. Educ. Law §6530(21)(McKinney Supp. 1997) by willfully making or filing a false report or by inducing another person to do so, as alleged in the facts of Paragraphs A, A1 through A180 and Paragraph B:

THREE HUNDRED SIXTY-THIRD THROUGH FIVE HUNDRED AND FORTY- FOURTH SPECIFICATIONS

GROSS NEGLIGENCE

Respondent is charged with committing 180 separate and distinct acts of professional misconduct as defined in N.Y. Educ. Law §6530(4)(McKinney Supp. 1997), by practicing the profession of medicine with gross negligence, as alleged in Paragraphs A, A1 through A180.

FIVE HUNDRED FORTY-FOURTH SPECIFICATION

NEGLIGENCE ON MORE THAN ONE OCCASION

Respondent is charged with committing professional misconduct as defined in N.Y. Educ. Law §6530(3)(McKinney Supp. 1997) by practicing the profession of medicine with negligence on more than one occasion as alleged in the facts of two or more of the following: Paragraphs A and A1 through A180.

**FIVE HUNDRED AND FORTY-FIFTH THROUGH
SEVEN HUNDRED AND TWENTY-FIFTH SPECIFICATIONS**

**FAILING TO COMPLY WITH A STATE LAW
GOVERNING THE PRACTICE OF MEDICINE**

Respondent is charged with committing professional misconduct as defined in N.Y. Educ. Law §6530(16)(McKinney Supp. 1997) by willfully or gross negligently failing to comply with substantial provision of federal, state or local laws, rules or regulations governing the practice of medicine, including but not limited to Public Health Law §3332(1), Public Health Law §3332(2)(a), Public Health Law §3332(2)(d) (McKinney 1993), 10 NYCRR §80.62(a), 10 NYCRR §80.62(b), 10 NYCRR §80.63(c), 10 NYCRR §80.65, 10 NYCRR §80.67(b)(1), 10 NYCRR §80.67(b)(4) as alleged in the facts of Paragraphs A, A1 through A180:

**SEVEN HUNDRED AND TWENTY-SIXTH
THROUGH NINE HUNDRED AND SIXTH SPECIFICATIONS**

RECORD-KEEPING

Respondent is charged with committing professional misconduct as defined in N.Y. Educ. Law §6530(32)(McKinney Supp. 1997) , by failing to maintain a record which accurately reflects the evaluation and treatment of the patient, as alleged in the facts of Paragraphs A, A1 through A180.

NINE HUNDRED AND EIGHTH SPECIFICATION

NON-COMPLIANCE WITH RECORD REQUEST

Respondent is charged with committing professional misconduct as defined in N.Y. Educ. Law §6530(28)(McKinney Supp. 1997) by failing to respond within thirty days to a written communication of the Department of Health to make available relevant medical records, as alleged in the facts of Paragraph C.

DATED: October / , 1997
New York, New York

REDACTED

ROY NEMERSON
Deputy Counsel
Bureau of Professional
Medical Conduct