



# STATE OF NEW YORK DEPARTMENT OF HEALTH

433 River Street, Suite 303

Troy, New York 12180-2299

Barbara A. DeBuono, M.D., M.P.H.  
*Commissioner*

Dennis P. Whalen  
*Executive Deputy Commissioner*

October 8, 1998

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

Roy Nemerson, Esq.  
NYS Department of Health  
5 Penn Plaza - Sixth Floor  
New York, New York 10001

Doreen Palmer, M.D.  
285 South Central Avenue-Apt. H-1  
Hartsdale, New York 10530

**RE: In the Matter of Doreen Palmer, M.D.**

Dear Parties:

Enclosed please find the Determination and Order (No. 98-241) of the Hearing Committee in the above referenced matter. This Determination and Order shall be deemed effective upon the receipt or seven (7) days after mailing by certified mail as per the provisions of §230, subdivision 10, paragraph (h) of the New York State Public Health Law.

Five days after receipt of this Order, you will be required to deliver to the Board of Professional Medical Conduct your license to practice medicine if said license has been revoked, annulled, suspended or surrendered, together with the registration certificate. Delivery shall be by either **certified mail or in person** to:

Office of Professional Medical Conduct  
New York State Department of Health  
Hedley Park Place  
433 River Street - Fourth Floor  
Troy, New York 12180

If your license or registration certificate is lost, misplaced or its whereabouts is otherwise unknown, you shall submit an affidavit to that effect. If subsequently you locate the requested items, they must then be delivered to the Office of Professional Medical Conduct in the manner noted above.

As prescribed by the New York State Public Health Law §230, subdivision 10, paragraph (i), and §230-c subdivisions 1 through 5, (McKinney Supp. 1992), "the determination of a committee on professional medical conduct may be reviewed by the Administrative Review Board for professional medical conduct." Either the licensee or the Department may seek a review of a committee determination.

Request for review of the Committee's determination by the Administrative Review Board stays penalties **other than suspension or revocation** until final determination by that Board. Summary orders are not stayed by Administrative Review Board reviews.

All notices of review must be served, by **certified mail**, upon the Administrative Review Board **and** the adverse party within fourteen (14) days of service and receipt of the enclosed Determination and Order.

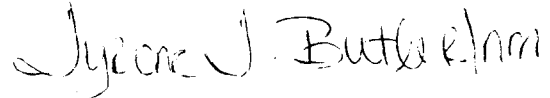
The notice of review served on the Administrative Review Board should be forwarded to:

James F. Horan, Esq., Administrative Law Judge  
New York State Department of Health  
Bureau of Adjudication  
Hedley Park Place  
433 River Street, Fifth Floor  
Troy, New York 12180

The parties shall have 30 days from the notice of appeal in which to file their briefs to the Administrative Review Board. Six copies of all papers must also be sent to the attention of Mr. Horan at the above address and one copy to the other party. The stipulated record in this matter shall consist of the official hearing transcript(s) and all documents in evidence.

Parties will be notified by mail of the Administrative Review Board's  
Determination and Order.

Sincerely,

A handwritten signature in black ink that reads "Tyrone T. Butler". The signature is written in a cursive style with a large initial "T".

Tyrone T. Butler, Director  
Bureau of Adjudication

TTB:nm  
Enclosure

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

**COPY**

**IN THE MATTER  
OF  
DOREEN PALMER, M.D.**

**DETERMINATION  
AND  
ORDER**

BPMC-98-241

**DANIEL W. MORRISSEY, O.P., Chairperson, JOSEPH A. MESSINA, M.D. and HRUSIKESH PARIDA, M.D.**, duly designated members of the State Board for Professional Medical Conduct, appointed by the Commissioner of Health of the State of New York pursuant to Section 230(1) of the Public Health Law, served as the Hearing Committee in this matter pursuant to Sections 230(10)(e) and 230(12) of the Public Health Law. **ELLEN B. SIMON, ESQ.**, Administrative Law Judge, served as Administrative Officer for the Hearing Committee.

After consideration of the entire record, the Hearing Committee submits this Determination.

**STATEMENT OF CHARGES**

The Statement of Charges essentially charges the Respondent with professional misconduct by reason of being a habitual user or having a psychiatric condition which impairs the ability to practice, by practicing while impaired, and by violating a condition imposed pursuant to Section 230 of the Public Health Law.

The charges are more specifically set forth in the Statement of Charges, a copy of which is appended to the Commissioner's Interim Order, a copy of which is attached to and made a part of this Determination and Order.

**SUMMARY OF THE PROCEEDINGS**

Commissioner's Interim Order Dated:	August 6, 1998
Commissioner's Order and Notice of Hearing Dated:	June 1, 1998
Statement of Charges Dated:	May 29, 1998
Prehearing Conference:	June 9, 1998
Hearing Date:	July 9, 1998
Deliberation Date:	July 9, 1998
Place of Hearing:	NYS Department of Health 5 Penn Plaza New York, New York
Petitioner Appeared By:	Henry M. Greenberg, Esq. General Counsel NYS Department of Health
	BY: Roy Nemerson, Esq. Deputy Counsel

Respondent did not appear.

**WITNESSES**

NONE

**FINDINGS OF FACT**

Numbers in parenthesis refer to exhibits, and they denote evidence that the Hearing Committee found persuasive in determining a particular finding. No conflicting evidence was presented.

## GENERAL FINDINGS

1. Doreen Palmer, M.D., the Respondent, was authorized to practice medicine in New York State on or about March 31, 1978, by the issuance of license number 134113 by the New York State Education Department [Dept.'s Exhibit (hereafter "Ex.") 1, Appendix A].
2. Between May 17, 1995 and October 7, 1996, Respondent's license status was "inactive," Respondent having entered into a temporary Surrender pursuant to N.Y. Public Health Law 230(13), based upon incapacity to practice (Ex. 1, Appendix A).
3. On or about December 20, 1995, a Committee of the State Board for Professional Medical Conduct denied Respondent's petitioner for license restoration after a Restoration Proceeding pursuant to N.Y. Public Health Law 230(13) (Exs. 2, 4).
4. Respondent's license was restored [pursuant to N.Y. Public Health Law 230(13)] on Conditions (for a term of five years--through October 7, 2001), by order dated October 6, 1996. Respondent has been subject to that order of conditions, as well as certain minimum Conditions set forth in her Temporary Surrender, at all times since October 6, 1996 (Ex. 1, Appendix B; Ex. 1, Appendix A, paragraph 15 and its subparagraphs).
5. The Order of Conditions requires that Respondent continue in approved therapy until October 7, 2001(Ex. 1, Appendix B, paragraph 3) and be compliant with such therapy [Ex. 1, Appendix A, paragraph 15(a); Ex. 1, Appendix B, paragraphs 3 and 3(a)].
6. The Order of Conditions requires that Respondent submit to independent psychiatric evaluation on the authority of OPMC [Ex. 1, Appendix B, paragraph 3(c); Ex. 1, Appendix A, paragraph 15(b)].

7. The Order of Conditions requires that Respondent meet with OPMC personnel at the direction of OPMC (Ex. 1, Appendix B, paragraph 8).
8. Since on or before March 1995, and at times thereafter, with period(s) of remission, Respondent has had a psychiatric condition that impairs her ability to practice medicine. Respondent's psychiatric condition has been diagnosed variously as Psychotic Depression with Marked Delusionary Features; Major Depression with Paranoia; Recurrent Major Depression with Psychosis; and Paranoid Psychotic Disorder (in Remission on September 30, 1996) [Ex. 2, p. 3; Ex. 3, pp.133, 135, 144, 152-153, 166, 213; Ex. 4, pp. 77-78; Exs. 14-16, 20; Ex. 21 (in its entirety, but particularly pages 2-3, 5, 16-17, 23, 27, 76-77, 91-92)].
9. Beginning in or before February 1998, Respondent decompensated, became paranoid, hostile, confused, and forgetful (Ex. 6, pp. 2, 6, 7, 8 11; Ex. 8; Ex. 9, pp. 1-2; Ex. 12, p. 2; Ex. 13, p. 10).
10. Respondent's psychiatric condition impairs her for the practice of medicine and has so impaired her since February 1998 or earlier (Ex. 6, pp. 2, 6, 7, 8, 11; Ex. 8; Ex. 9, pp. 1-2; Ex. 12, p. 2; Ex. 13, p. 10).
11. Respondent practiced medicine at Westchester County Medical Center while so impaired (Ex. 6, pp. 2, 6, 7, 8, 11; Ex. 9, pp. 1-2; Ex. 10).
12. Respondent's medical practice was significantly and adversely affected by her impairment on or about March 6-8 and March 16-18, 1998 (Ex. 6, pp. 2, 6, 7, 8, 11; Ex. 9, pp. 1-2; Ex. 10).

13. Respondent violated conditions imposed on her pursuant to her temporary Surrender (Ex. 1, Appendix A) and the Restoration order of Conditions (Ex. 1, Appendix B) to which she is subject, including but not limited to Conditions 3, 3.c and 8 of the Restoration order, as follows:
14. Beginning at a time unknown to Petitioner, but before March 1998, Respondent failed to comply with her treatment plan by failing to take her prescribed medication pursuant to instruction (Ex. 8; Ex. 12, p. 2; Ex. 13, p. 10).
15. Beginning in April 1998 Respondent failed to comply with her treatment plan by failing to attend scheduled therapy sessions with her psychiatrist (Ex. 8; Ex 12, p. 2; Ex. 13, p. 10).
16. On or about March 17, 1998, Respondent failed to comply with an authorized direction to submit to an independent psychiatric evaluation (Ex. 6, pp. 6, 7, 11; Ex. 7, p. 2; Ex. 9, p. 1).
17. Beginning in march 1998 Respondent failed to meet, as required, with representatives of the Office of Professional Medical Conduct (Ex. 11).

#### **CONCLUSIONS AND VOTE OF THE HEARING COMMITTEE**

In reaching its findings, the Hearing Committee relied solely on the evidence presented by the Petitioner (Department), since the Respondent made no appearance and presented no evidence.

Accordingly, the Committee concludes as to the specifications and votes unanimously as follows:



**FIRST SPECIFICATION:**

Respondent is charged with committing professional misconduct as defined in N.Y. Education Law 6530(8)(McKinney Supp.) by having a psychiatric condition that impairs the licensee's ability to practice. This specification is **SUSTAINED.**

**SECOND SPECIFICATION:**

Respondent is charged with committing professional misconduct as defined in N.Y. Education Law 6530(7)(McKinney Supp.) by practicing the profession while impaired by mental disability. This specification is **SUSTAINED.**

**THIRD SPECIFICATION:**

Respondent is charged with committing professional misconduct as defined in N.Y. Education law 6530(29)(McKinney Supp.) by violating any term of probation or condition or limitation imposed on the licensee pursuant to Section 230 of the Public Health Law. This specification is **SUSTAINED.**

**DETERMINATION OF THE HEARING COMMITTEE AS TO PENALTY**

The Hearing Committee unanimously determines that Respondent's license to practice medicine should be **REVOKED**, with certain **limitation**.

The Committee has voted for such revocation primarily because Respondent's failure to appear at the hearing or to have anyone appear in her behalf did not allow the Committee the opportunity to observe Respondent or to hear her response to the charges against her. Accordingly, the Committee could make no determination whether Respondent is a good candidate for rehabilitation or whether suspension of her license or any other lesser penalty would have been an appropriate alternative.

The Committee distinguishes between those physicians who are impaired and try to recover, even if they may relapse, but who have not harmed any patients and those who have caused harm. Therefore, the Committee wishes to empathize that its determination in this matter is a necessary consequence of Respondent's failure to appear and not a penalty for it.

This penalty represents the Determination of the Hearing Committee, as does its unanimous vote on the charges and specifications.

**ORDER**

Based upon the foregoing, **IT IS HEREBY ORDERED THAT:**

Pursuant to N.Y. Public Health Law 230-a(4), the Hearing Committee order the **REVOCATION** of Respondent's license to practice medicine in the State of New York. Furthermore, pursuant to N.Y. Public Health Law 230-a(6), the Committee imposes the **LIMITATION** that any further license that may be granted to Respondent be subject to a period of probation of *at least* five years, with extensive terms of monitoring that focus upon Respondent's fitness to practice.

**DATED: New York, New York**  
*October 5*, 1998

*Daniel W. Morrissey, O.P.*  
**DANIEL W. MORRISSEY, O.P.**  
Chairperson

**JOSEPH A. MESSINA, M.D.**  
**HRUSIKESH PARIDA, M.D.**

IN THE MATTER OF DOREEN PALMER, M.D.  
INTERIM DETERMINATION AND RECOMMENDATION

**COPY**

DANIEL W. MORRISSEY, O.P., Chairperson, JOSEPH A. MESSINA, M.D., and HRUSIKESH PARIDA, M.D., duly designated members of the State Board for Professional Medical Conduct, appointed by the Commissioner of Health of the State of New York pursuant to Section 230 (1) of the Public Health Law, served as the Hearing Committee in this matter pursuant to Sections 230 (10)(e) and 230 (12) of the Public Health Law. ELLEN B. SIMON, ESQ., Administrative Law Judge, served as Administrative Officer for the Hearing Committee.

After consideration of the record in this matter as to the issue of imminent danger to the public health, the Hearing Committee submits this interim determination and recommendation.

**SUMMARY OF THE PROCEEDINGS**

Commissioner's Order and Notice of Hearing dated:	June 1, 1998
Statement of Charges dated:	May 29, 1998
Prehearing Conference date:	June 9, 1998
Hearing date:	July 9, 1998
Deliberation date:	July 9, 1998
Place of hearing:	NYS Department of Health 5 Penn Plaza New York, New York
Petitioner appeared by:	Henry M. Greenberg, Esq. General Counsel NYS Department of Health By: Roy Nemerson, Esq. Deputy Counsel
Respondent did not appear	

**COMMISSIONER'S ORDER**

The Commissioner's Order cites the Commissioner of Health's determination, after an investigation by the State Board for Professional Medical Conduct (SBPMC) and the resulting SBPMC recommendation, that the continued practice of medicine in the State of New York by the Respondent constitutes an imminent danger to the health of the people of the State. Under the Order, effective immediately, the Respondent must suspend her practice of medicine in the State, such Order to remain in effect unless modified or vacated by the Commissioner pursuant to N.Y. Pub. Health Law Section 230 (12) (McKinney Supp. 1998).

## STATEMENT OF CHARGES

The Statement of Charges essentially charges the Respondent with professional misconduct by reason of having a psychiatric condition that impairs her ability to practice medicine, by having practiced while impaired, and by violating a condition imposed pursuant to Section 230 of the Public Health Law--i.e., condition(s) imposed on her pursuant to her Temporary Surrender and a Restoration Order of Conditions dated October 6, 1996.

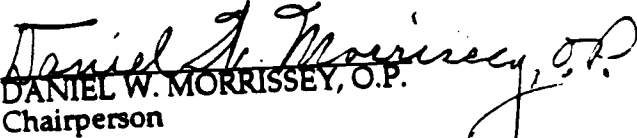
The charges are more specifically set forth in the Statement of Charges, a copy of which is attached to and made a part of this Interim Determination and Recommendation.

## INTERIM DETERMINATION AND RECOMMENDATION OF THE HEARING COMMITTEE

After a review of the record in this matter as to the question of imminent danger, the Hearing Committee voted unanimously that by a preponderance of the evidence the Respondent (Licensee) is causing, engaging in, or maintaining a condition or activity that constitutes an imminent danger to the health of the people of the State.

Accordingly, the Hearing Committee hereby recommends that the Order of the Commissioner dated June 1, 1998 be continued in full force and effect until the final determination of the Committee as to all charges in this matter.

Dated: New York, New York  
July 16, 1998

  
DANIEL W. MORRISSEY, O.P.  
Chairperson

JOSEPH A. MESSINA, M.D.  
HRUSIKESH PARIDA, M.D.

APPENDIX I

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

IN THE MATTER  
OF  
DOREEN PALMER, M.D.

COMMISSIONER'S  
ORDER AND  
NOTICE OF  
HEARING

TO: DOREEN PALMER, M.D.  
285 South Central Avenue - Apt. H-1  
Hartsdale, NY 10530

The undersigned, Barbara A. DeBuono, M.D., M.P.H., Commissioner of Health of the State of New York, after an investigation, upon the recommendation of a Committee on Professional Medical Conduct of the State Board for Professional Medical Conduct, and upon the Statement of Charges attached hereto and made a part hereof, has determined that the continued practice of medicine in the State of New York by DOREEN PALMER, M.D., the Respondent, constitutes an imminent danger to the health of the people of this state.

It is therefore:

ORDERED, pursuant to N.Y. Pub. Health Law §230(12) (McKinney Supp. 1998), that effective immediately DOREEN PALMER, M.D., Respondent, shall not practice medicine in the State of New York. This Order shall remain in effect unless modified or vacated by the Commissioner of Health pursuant to N.Y. Pub. Health Law §230(12) (McKinney Supp. 1998).

PLEASE TAKE NOTICE that a hearing will be held pursuant to the provisions of N.Y. Pub. Health Law §230 (McKinney 1990 and Supp. 1998), and N.Y. State Admin. Proc. Act §§301-307 and 401 (McKinney 1984 and Supp. 1998). The hearing will be conducted before a committee on professional conduct of the State Board for Professional Medical Conduct on June 11, 1998, at 10:00 a.m., at the offices of the New York State Health Department, 5 Penn Plaza, Sixth Floor, New

York, NY 10001, and at such other adjourned dates, times and places as the committee may direct. The Respondent may file an answer to the Statement of Charges with the below-named attorney for the Department of Health.

At the hearing, evidence will be received concerning the allegations set forth in the Statement of Charges, which is attached. A stenographic record of the hearing will be made and the witnesses at the hearing will be sworn and examined. The Respondent shall appear in person at the hearing and may be represented by counsel. The Respondent has the right to produce witnesses and evidence on his behalf, to issue or have subpoenas issued on his behalf for the production of witnesses and documents and to cross-examine witnesses and examine evidence produced against him. A summary of the Department of Health Hearing Rules is enclosed. Pursuant to §301(5) of the State Administrative Procedure Act, the Department, upon reasonable notice, will provide at no charge a qualified interpreter of the deaf to interpret the proceedings to, and the testimony of, any deaf person.

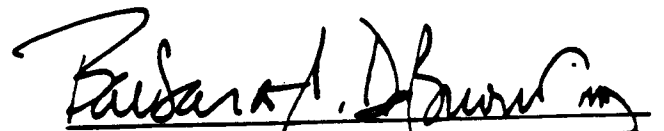
The hearing will proceed whether or not the Respondent appears at the hearing. Scheduled hearing dates are considered dates certain and, therefore, adjournment requests are not routinely granted. Requests for adjournments must be made in writing to the New York State Department of Health, Division of Legal Affairs, Bureau of Adjudication, Hedley Park Place, 433 River Street, Fifth Floor South, Troy, NY 12180, ATTENTION: HON. TYRONE BUTLER, DIRECTOR, BUREAU OF ADJUDICATION, and by telephone (518-402-0748), upon notice to the attorney for the Department of Health whose name appears below, and at least five days prior to the scheduled hearing date. Claims of court engagement will require detailed affidavits of actual engagement. Claims of illness will require medical documentation.

At the conclusion of the hearing, the committee shall make findings of fact, conclusions concerning the charges sustained or dismissed, and, in the event any of the charges are sustained, a determination of the penalty or sanction to be imposed

or appropriate action to be taken. Such determination may be reviewed by the administrative review board for professional medical conduct.

THESE PROCEEDINGS MAY RESULT IN A DETERMINATION THAT YOUR LICENSE TO PRACTICE MEDICINE IN NEW YORK STATE BE REVOKED OR SUSPENDED, AND/OR THAT YOU BE FINED OR SUBJECT TO OTHER SANCTIONS SET FORTH IN NEW YORK PUBLIC HEALTH LAW §230-a (McKinney Supp. 1998). YOU ARE URGED TO OBTAIN AN ATTORNEY TO REPRESENT YOU IN THIS MATTER.

DATED: Albany, New York  
*June 1*  
May: , 1998



BARBARA A. DeBUONO, M.D., M.P.H.  
Commissioner of Health

Inquiries should be directed to:

ROY NEMERSON  
Deputy Counsel  
N.Y.S. Department of Health  
Division of Legal Affairs  
5 Penn Plaza  
Suite 601  
New York, New York 10001  
(212) - 613-2615



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

IN THE MATTER  
OF  
DOREEN PALMER, M.D.

STATEMENT  
OF  
CHARGES

DOREEN PALMER, M.D., the Respondent, was authorized to practice medicine in New York State on or about March 31, 1978, by the issuance of license number 134113 by the New York State Education Department. Between May 17, 1995 and October 7, 1996, Respondent's license status was "inactive," Respondent having entered into a Temporary Surrender (attached, marked as Appendix "A", and incorporated herein) pursuant to N.Y. Public Health Law §230(13), based upon incapacity to practice. After a December 20, 1995 denial of her initial petition for license restoration, Respondent's license was restored, on Conditions, by order dated October 6, 1996. Respondent is currently subject to a five year order of conditions (attached, marked as Appendix "B", and incorporated herein) imposed pursuant to said statutory section.

**FACTUAL ALLEGATIONS**

- 1-4
- A. Since on or before March 1995, and at times thereafter, with period(s) of remission, Respondent has had a psychiatric condition that impairs her ability to practice medicine, said condition more fully set forth in Appendix "C", attached and incorporated herein. Beginning in or prior to February of 1998, Respondent decompensated, became paranoid, hostile, confused, and forgetful.

1. Respondent's psychiatric condition impairs her for the practice of medicine, and has so impaired her since February of 1998, or earlier.
2. Respondent practiced medicine at Westchester County Medical Center while so impaired.

**B. Respondent violated conditions imposed on her pursuant to the her Temporary Surrender (Appendix "A") and the Restoration Order of Conditions (Appendix "B") to which she is subject, including but not limited to Conditions 3., 3.c., and 8 of the Restoration Order, as follows:**

1. Beginning at a time unknown to Petitioner, but prior to March of 1998, Respondent failed to comply with the her treatment plan by failing to take her prescribed medication pursuant to instruction.
2. On or about March 17, 1998, Respondent failed to comply with the direction of her Practice Monitor to submit to an independent psychiatric evaluation.
3. Beginning in April of 1998 Respondent failed to comply with her treatment plan in that she failed to attend scheduled therapy sessions with her psychiatrist.
4. Beginning in March of 1998 Respondent failed to meet with Representatives of the Office of Professional Medical Conduct.

## SPECIFICATION OF CHARGES

### FIRST SPECIFICATION

#### BEING AN HABITUAL USER OR HAVING A PSYCHIATRIC CONDITION WHICH IMPAIRS THE ABILITY TO PRACTICE

Respondent is charged with committing professional misconduct as defined in N.Y. Educ. Law §6530(8)(McKinney Supp. 1998) by being a habitual abuser of alcohol, or being dependent on or a habitual user of narcotics, barbiturates, amphetamines, hallucinogens, or other drugs having similar effects, or having a psychiatric condition which impairs the licensee's ability to practice as alleged in the facts of the following:

1. Paragraph A and A.1.

### SECOND SPECIFICATION

#### PRACTICING WHILE IMPAIRED

Respondent is charged with committing professional misconduct as defined in N.Y. Educ. Law §6530(7)(McKinney Supp. 1998) by practicing the profession while impaired by alcohol, drugs, physical disability, or mental disability as alleged in the facts of the following:

2. Paragraph A, A.1., and A.2.

### THIRD SPECIFICATION

#### VIOLATING A CONDITION IMPOSED PURSUANT TO §230 OF THE PUBLIC HEALTH LAW

Respondent is charged with committing professional misconduct as defined in N.Y. Educ. Law §6530(29)(McKinney Supp. 1998) by violating any term of probation

or condition or limitation imposed on the licensee pursuant to section two hundred thirty of the public health law as alleged in the facts of:

3. Paragraph B. and any of its subparagraphs.

DATED: May 29, 1998  
New York, New York



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ROY NEMERSON  
Deputy Counsel  
Bureau of Professional  
Medical Conduct

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

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IN THE MATTER  
OF  
DOREEN P. PALMER, M.D.

:  
: TEMPORARY  
: SURRENDER  
: OF  
: LICENSE  
: AND  
: REGISTRATION  
-----

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

DOREEN P. PALMER, M.D., being duly sworn, states:

1. On or about March 31, 1978, I was licensed to practice medicine in the State of New York, having been issued License No. 134113 by the New York State Education Department.
2. I am registered to practice medicine in the State of New York for the period January 1, 1995 through May 31, 1997. My registration address is 185 East 85th Street, New York, New York 10028.
3. I am at present incapacitated for the active practice of medicine due to mental impairment.
4. My incapacity has not resulted in harm to any patient.
5. I hereby surrender my license document and my registration certificate to the State Board for Professional Medical Conduct (the Board), pursuant to New York Public Health Law Section 230(13) (McKinney Supp. 1994).

6. Prior to submitting this Temporary Surrender Document I maintained privileges or an affiliation at Lenox Hill Hospital until December 31, 1995.

7. I maintain no privileges or affiliations with any other hospital.

8. I understand that unless and until my license is restored to me, my licensure status is "inactive" and I am not authorized to practice medicine in the State of New York. I further understand that any practice of medicine while my license is "inactive" shall constitute a violation of N.Y. Educ. Law Section 6530(12), regardless of the location of such practice.

9. Unless and until my license is restored to me, I shall notify all persons who request my medical services that I have temporarily withdrawn from the practice of medicine.

10. This temporary surrender shall not be an admission of permanent disability or of professional misconduct, and shall not be used as evidence of a violation of N.Y. Educ. Law Sections 6530 (7) and/or (8) (McKinney Supp. 1994) unless I practice medicine while my license is "inactive", regardless of the location of any such practice.

11. I understand that my license shall be restored to me only upon a showing to the satisfaction of a committee of professional conduct of the state board for professional medical conduct that I am no longer incapacitated for the active practice of medicine.

12. I understand that upon my request, a meeting of a committee of the Board shall be convened for the purpose of my making the showing referred to in paragraph 11. The Board will make reasonable attempts to convene a committee not later than 90 days after my request, which shall not be deemed to have been perfected until receipt, by the Director of the Office of Professional Medical Conduct, of all documentation required to be submitted by me pursuant to paragraph 13, below.

13. At the time I request that a meeting of a committee of the Board be scheduled, pursuant to paragraph 12, I will provide Kathleen Tanner, Director, Office of Professional Medical Conduct, New York State Department of Health, Corning Tower Building, 4th Floor, Empire State Plaza, Albany, New York, 12237, with the following:

- a. The signed acknowledgment from the supervising physician referred to in paragraph 15c.
- b. The signed acknowledgment from the health care professional or treatment program referred to in paragraph 15d.
- c. Certified complete copies of records of all treatment, related to my impairment, whether that treatment occurred prior to or during the time this surrender is in effect.
- d. Fully executed waivers of patient confidentiality concerning any previous and prospective treatment records.

Provision of the aforesaid documents does not constitute a showing that I am no longer incapacitated for the active practice of medicine.

14. At the proceeding referred to in paragraph 12, I will provide the committee, at a minimum, with the following:

- a. Records of all psychiatric, psychological, and/or any other mental health treatment, evaluation, and/or testing, whether in an in-patient, out-patient or office setting.
- b. Evidence of compliance with the terms of a continuing after-care out-patient treatment plan that addresses the major problems associated with my illness.

Submission of the aforesaid evidence does not constitute a showing that I am no longer incapacitated for the active practice of medicine.

15. If the Chairperson of the committee issues an order (Order) restoring my license, the Order shall include a probationary term of not less than ~~five~~ <sup>three</sup> years. <sup>(DP HS)</sup> The minimum conditions of probation will be the following:

- a. I will comply with the terms of a continuing after-care treatment plan that addresses the major problems associated with my illness.
- b. At the direction of the Director of the Office of Professional Medical Conduct, I



will submit to periodic interviews with and evaluations by a psychiatrist designated by the Director. Said psychiatrist shall report to the Director regarding my condition and my fitness or impairment for the practice of medicine.

c. I will be supervised in my medical practice by a licensed physician who shall be named in the terms of probation contained in or annexed to the Order. Said supervising physician shall be familiar with my history of mental impairment and with the Order and its terms of probation. Said supervising physician shall be in a position regularly to observe and assess my medical practice. Said supervising physician shall acknowledge his/her willingness to comply with the supervision by executing the acknowledgment provided by the Office of Professional Medical Conduct, and referred to in paragraph 13(b).

i. Said supervising physician shall submit to the Office quarterly reports regarding the quality of my medical practice, any unexplained absences from work and certifying my compliance or detailing my failure to comply with each term of probation.

d. I will continue in treatment with a health care professional or a treatment program for as long as the health care professional or treatment program determines it is necessary.

i. My treating health care professional or program shall submit to the Office quarterly reports certifying that I am complying with the treatment.

ii. Said treating health care professional or program shall report to the Office immediately if I drop out of treatment.

iii. Said treating health care professional or program shall report to the Office any significant pattern of absences.

iv. Said treating health care professional or program shall acknowledge his/her/its willingness to comply with the above-mentioned reporting by executing the acknowledgment provided by the Office of Professional Medical Conduct and referred to in paragraph 13(c).

16. I agree that the terms set out in paragraph 15 are the minimum terms of probation that will be required and that other terms may be added by the Committee at the time of license restoration, and that the costs of complying with all such terms

will be my responsibility. I understand that any failure by me to comply with the terms of probation or limitations, imposed upon license restoration, may result in disciplinary action being brought against me charging professional misconduct as defined by the New York State Education Law, including but not limited to N.Y. Educ. Law Section 6530(29) (McKinney Supp. 1994). That section defines professional misconduct to include "(v)iolating any term of probation or condition or limitation imposed on the licensee pursuant to section two hundred thirty of the public health law." (Emphasis added.)

17. I hereby agree to submit signed statements to the Director of the Office of Professional Medical Conduct; on a quarterly basis, certifying that I have not practiced medicine, in any location, at any time subsequent to this surrender of my license, utilizing forms to be supplied to me by the Office of Professional Medical Conduct.

18. I understand that this Temporary Surrender will not be accepted or effective until I submit to the Office of Professional Medical Conduct the executed waivers of patient confidentiality and authorization to release patient record forms pertaining to my treatment as described in paragraph 13 above, which forms were provided to me by the Office of Professional Medical Conduct.

*Doreen Palmer*

DOREEN P. PALMER, M.D.

Sworn to before me this  
17<sup>th</sup> day of May, 1925.

*[Signature]*

NOTARY PUBLIC

RICHARD J. IPPOLITO  
Notary Public, State of New York  
No. 621,250,17538  
Qualified in Westchester County  
Commission Expires September 7, 1925

Accepted:

Dated:

Accepted:

Dated:

Accepted  
June 14 1955

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(FOR NEW YORK STATE BOARD FOR  
PROFESSIONAL MEDICAL CONDUCT)

1004

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

IN THE MATTER  
OF  
DOREEN P. PALMER, M.D.

RESTORATION  
ORDER

This matter was brought to the New York State Board for Professional Medical Conduct for decision at the request of Doreen P. Palmer, M.D. (hereinafter "Petitioner"). License No. 134113. The purpose of the proceeding was to determine whether Petitioner's license to practice medicine in the State of New York, which had been temporarily surrendered, should be restored upon a finding that Petitioner is no longer incapacitated for the active practice of medicine pursuant to Public Health Law Section 230(13)(a).

A hearing in the above-entitled proceeding was held on September 30, 1996. Petitioner appeared before a committee of the State Board for Professional Medical Conduct consisting of Michael R. Golding, M.D., Chairperson; Walter M. Farkas, M.D.; and Dennis Garcia. The Petitioner was represented by Eugene Bogan, Esquire. The Committee determined, by unanimous decision, that Petitioner is no longer incapacitated for the active practice of medicine and that Petitioner's medical license and registration should be restored, subject to certain conditions.

THEREFORE, IT IS HEREBY ORDERED THAT:

Petitioner's medical license and registration be restored subject to the following conditions. Unless otherwise indicated, these conditions shall remain in effect for a period lasting five (5) years from the effective date of this Order.

Petitioner may not commence the practice of medicine until all proposed monitors have been approved by the Office of Professional Medical Conduct.

1. Petitioner shall not self-prescribe any medications.
2. Petitioner shall be supervised in medical practice by a qualified health care professional ("Supervisor") approved by the OPMC, familiar with Petitioner's history of mental impairment and with the terms of this Restoration Order. Petitioner shall obtain a successor Supervisor subject to the approval of the Office of Professional Medical Conduct within seven (7) days of Petitioner's becoming aware that the original supervising health care professional will no longer serve in that capacity.

a. The Petitioner shall not engage in the solo practice of medicine. The Petitioner's practice is limited to a group setting for the duration of this Restoration Order.

b. The Supervisor shall submit a report to the Office of Professional Medical Conduct every three (3) months regarding the quality of Petitioner's medical practice, any unexplained absences from work, and Petitioner's compliance or failure to comply with each condition described within this Order of Restoration.

c. The Supervisor shall oversee the Petitioner's prescribing, dispensing, inventorying and wasting of controlled substances.

d. The Supervisor shall notify the OPMC immediately if Petitioner violates any terms of this Order.

3. Petitioner shall continue in treatment with a qualified board-certified psychiatrist/psychopharmacologist ("Therapist"), or a successor approved by the OPMC, who is familiar with Petitioner's history of mental impairment and with the terms of this Restoration Order. Petitioner will continue in treatment, with this approved therapist, for the duration of this Restoration Order.

a. The Therapist shall submit a report to the Office of Professional Medical Conduct every month, for the first year of this Order, certifying compliance with treatment by Petitioner and describing in detail any failure to comply. After the first year of this Restoration Order, these reports will be submitted every three (3) months.



b. The Supervisor shall submit a report to the Office of Professional Medical Conduct every three (3) months regarding the quality of Petitioner's medical practice, any unexplained absences from work, and Petitioner's compliance or failure to comply with each condition described within this Order of Restoration.

c. The Supervisor shall oversee the Petitioner's prescribing, dispensing, inventorying and wasting of controlled substances.

d. The Supervisor shall notify the OPMC immediately if Petitioner violates any terms of this Order.

3. Petitioner shall continue in treatment with a qualified board-certified psychiatrist/psychopharmacologist ("Therapist"), or a successor approved by the OPMC, who is familiar with Petitioner's history of mental impairment and with the terms of this Restoration Order. Petitioner will continue in treatment, with this approved therapist, for the duration of this Restoration Order.

a. The Therapist shall submit a report to the Office of Professional Medical Conduct every month, for the first year of this Order, certifying compliance with treatment by Petitioner and describing in detail any failure to comply. After the first year of this Restoration Order, these reports will be submitted every three (3) months.

b. The Therapist shall report immediately to the Office of Professional Medical Conduct any significant pattern of absences or discontinuation of recommended treatment by Petitioner.

c. OPMC shall reserve the authority to have the Petitioner undergo an independent evaluation every six (6) months by a practitioner approved by the OPMC who specializes in mental illness. A report of such assessment shall be submitted promptly to OPMC.

4. Petitioner shall not treat nor prescribe medications for any family member.

5. Petitioner shall inform all physicians or other health care practitioners from whom Petitioner seeks treatment, of Petitioner's history of mental impairment.

6. Petitioner shall immediately notify OPMC of any home or office address change. Petitioner shall also advise Petitioner's Therapy Monitor and OPMC of any plans to be away from either office or home for more than seven (7) days.

7. OPMC shall reserve the right to conduct an on-site review of Petitioner's office, office records, hospital practice and hospital records at least semi-annually.

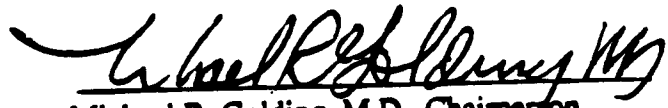
8. OPMC shall reserve the right to meet with the Petitioner throughout the duration of this Order, at a time and location determined by the OPMC.

As Petitioner agreed in the Temporary Surrender of license and registration, failure to comply with any of the conditions described above may result in disciplinary action.

This Order shall be effective upon issuance.

DATED: *New York*, New York

*October 17*, 1996

  
Michael R. Golding, M.D., Chairperson  
State Board for Professional Medical Conduct

Doreen P. Palmer, M.D.  
P.O. Box 27  
Briarcliff Manor, New York 10510

## APPENDIX "C"

Respondent's psychiatric condition has been has been diagnosed variously as:

- **Psychotic Depression with Marked Delusionary Features;**
- **Major Depression with Paranoia;**
- **Recurrent Major Depression with Psychosis; and**
- **Paranoid Psychotic Disorder in Remission (as of September 30, 1996).**

Put your RETURN ADDRESS completed on the reverse side

- Complete items 1 and 2 on the reverse side of this form so that we can return this card to you.
- Attach this form to the front of the mailpiece, or on the back if space does not permit.
- Write "Return Receipt Requested" on the mailpiece below the article number.
- The Return Receipt will show to whom the article was delivered and the date delivered.

following services for an extra fee:

- Addressee's Address
- Restricted Delivery

Consult postmaster for fee.

3. Article Addressed to:  
 Darren Palmer M.D.  
 285 S. Central Ave #44  
 Hartsdale NY 10530

4a. Article Number

4b. Service Type

<input type="checkbox"/> Registered	<input type="checkbox"/> Insured
<input type="checkbox"/> Certified	<input type="checkbox"/> COD
<input type="checkbox"/> Express Mail	<input checked="" type="checkbox"/> Return Receipt for Merchandise

7. Date of Delivery  
 6/6/98

5. Signature (Addressee)

8. Addressee's Address (Only if requested and fee is paid)

6. Signature (Agent)

Thank you for using Return Receipt Service



**STATE OF NEW YORK  
DEPARTMENT OF HEALTH**

New York Metropolitan Area Regional Office 145 Huguenot Street - 22nd Fl. New Rochelle, New York 10801

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

Dennis P. Whalen  
Executive Deputy Commissioner

RR# P 431 229 976

June 3, 1998

Doreen Palmer, M.D.  
285 South Central Avenue  
Hartsdale, New York 10530

Re: NR98-03-1249A

Dear Dr. Palmer:

On 6/2/98 at approximately 11:45 AM and at 4:45 PM and on 6/3/98 at 7:15 AM attempts were made to serve you with the enclosed documents. The documents enclosed are the Commissioner's Order and Hearing Notice, Statement of Charges, and Summary of Department of Health Hearing Rules. Also enclosed are copies of your previous surrender and the Restoration Order. The attempts to serve were made at your residence at 285 South Central Avenue, Hartsdale, New York 10530, apartment H-1. No one answered the door at that address.

If you have any questions please contact Patricia Cooney at (914) 632-3547.

Sincerely,

Agnes M. Larson  
Regional Program Director  
Office of Professional Medical Conduct  
Metropolitan Area Regional Office

P 431 229 976

US Postal Service  
**Receipt for Certified Mail**

No Insurance Coverage Provided.  
Do not use for International Mail (See reverse)

Sender's Name Doreen Palmer M.D.	
Street & Number 285 South Central Ave # H-1	
Post Office, State, & ZIP Code Hartsdale NY 10530	
Postage	\$
Certified Fee	
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt Showing to Whom & Date Delivered	
Return Receipt Showing to Whom, Date, & Addressee's Address	
<b>TOTAL Postage &amp; Fees</b>	<b>\$</b>
Postmark or Date	

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

COPY

IN THE MATTER  
OF  
DOREEN PALMER, M.D.

COMMISSIONER'S  
INTERIM ORDER

I have reviewed the Interim Determination and Recommendation of the Hearing Committee on the issue of imminent danger in this matter. The Interim Report of the Committee indicates that **DOREEN PALMER, M.D.**, Respondent, does present an imminent danger to the health of the People of the State of New York, and the Committee has recommended that the Summary Order, dated June 1, 1998, prohibiting Respondent from practicing medicine in the State of New York be continued in full force.


Based on the foregoing, I hereby adopt the recommendation of the Hearing Committee as my own; and

**IT IS HEREBY ORDERED THAT:**

The Summary Order, dated June 1, 1998, imposed upon Respondent, Doreen Palmer, M.D., be continued in full force.

**DATED: Albany, New York**

Aug 5, 1998

  
**BARBARA A. DeBONO, M.D., M.P.H.**  
Commissioner  
NYS Department of Health



**TO:**

Roy Nemerson, Esq.  
Deputy Counsel  
Bureau of Professional Medical Conduct  
NYS Department of Health  
5 Penn Plaza - Sixth Floor  
New York, New York 10001

Doreen Palmer, M.D.  
285 South Central Avenue - Apt. H-1  
Hartsdale, New York 10530