

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.

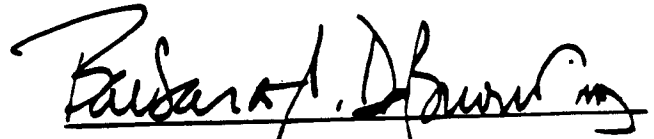
The hearing will proceed whether or not the Respondent appears at the hearing. Scheduled hearing dates are considered dates certain and, therefore, adjournment requests are not routinely granted. Requests for adjournments must be made in writing to the New York State Department of Health, Division of 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

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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



ROY NEMERSON
Deputy Counsel
Bureau of Professional
Medical Conduct