

DOH 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

January 22, 1999

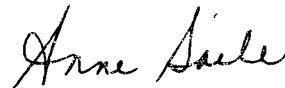
Mr. Robert Bentley, Director
Division of Professional Licensing Services
New York State Education Department
Cultural Education Center
Empire State Plaza
Albany, NY 12230

RE: Alan Perl, M.D.
NYS License No. 134780

Dear Mr. Bentley:

Enclosed is a copy of a Commissioner's Order and Notice of Hearing which summarily suspends Dr. Alan Perl's right to practice medicine in the State of New York. This Order was issued on January 20, 1999, and is in effect until further notice.

Sincerely,



Anne F. Saile
Director
Office of Professional Medical Conduct

Enclosure

cc: Daniel Kelleher

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

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IN THE MATTER : COMMISSIONER'S
OF : SUMMARY
ALAN PERL, M.D. : ORDER

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TO: ALAN PERL, M.D.
Plymouth County Jail
10 Obery Street
Plymouth, MA 12360-2130

The undersigned, Dennis P. Whalen, Acting Commissioner of the New York State Department of Health, pursuant to N.Y. Public Health Law Sec. 230, after an investigation, upon the recommendation of a Committee of Professional Medical Conduct, and upon the Statement of Charges attached hereto, and made a part hereof, has determined that ALAN PERL, M.D., the Respondent, was convicted by jury of committing an act or acts constituting a felony under the law of another jurisdiction which, if committed within this state, would have constituted a felony under New York State law, as is more fully set forth in the Statement of Charges attached hereto.

It is therefore:


ORDERED, pursuant to N.Y. Public Health Law Sec. 230(12)(b), that effective immediately, 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. Public Health Law Sec. 230(12).

PLEASE TAKE NOTICE that a hearing will be held pursuant to the provisions of N.Y. Public Health Law Sec. 230, and N.Y. State Admin. Proc. Act Sects. 301-307 and 401. The hearing will be

conducted before a committee on professional conduct of the State Board for Professional Medical Conduct and shall commence within ninety days after the service of this Order (N.Y. Public Health Law Sec. 230(12)(b)). The date and location of this hearing will be set forth in a written Notice of Summary Hearing and Statement of Charges to be provided to the Respondent at a later date. The written Notice and Statement of Charges may be provided in person, by mail, or by other means. If Respondent wishes to be provided with this written Notice at an address other than the one noted above, he shall notify both the attorney whose name is set forth in this Order and the Director of the Bureau of Adjudication, New York State Department of Health, Hedley Park Place, 5th Floor, 433 River Street, Troy, New York 12180 [telephone (518) 402-0748].

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

DATED: Albany, New York
January 20, 1999


DENNIS P. WHALEN
Executive Deputy Commissioner
NYS Department of Health

Inquiries should be directed to:

MICHAEL J. MCTIGHE, Senior Attorney
Bureau of Professional Medical Conduct
Corning Tower Building, Room 2509
Empire State Plaza
Albany, NY 12237-0032
(518) 474-5168

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

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IN THE MATTER : STATEMENT
OF : OF
ALAN PERL, M.D. : CHARGES

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ALAN PERL, M.D., the Respondent, was authorized to practice medicine in New York State on July 1, 1978, by the issuance of license number 134780 by the New York State Education Department. Respondent is not currently registered with the New York State Education Department to practice medicine in New York. Respondent's current address is Plymouth County Jail, 10 Obery Street, Plymouth, MA 02360-2130.

FACTUAL ALLEGATIONS

- A. On June 4, 1998, Respondent was convicted by a jury in Plymouth, Massachusetts, Superior Court for violations of Massachusetts G.L.c.94Cs.32A (unlawful distribution or dispensing of oxycodone, a controlled substance), and Massachusetts G.L.c.94Cs.32J (unlawful distribution of oxycodone in a drug free school zone). Respondent was sentenced to three years imprisonment at the Plymouth County House of Corrections, and is currently incarcerated at the Plymouth County House of Corrections.
- B. By is Final Decision & Order dated October 7, 1998, the Massachusetts Board of Registration in Medicine revoked Respondent's license to practice medicine in Massachusetts, based on Respondent's June 4, 1998, criminal conviction.

SPECIFICATIONS

FIRST SPECIFICATION

**CONVICTION OF AN ACT CONSTITUTING A CRIME
UNDER THE LAW OF ANOTHER JURISDICTION**


Respondent is charged with professional misconduct under N.Y.Educ.Law Sec. 6530(9)(a)(iii) by reason of his having been convicted of committing an act or acts which would have constituted a felony under New York State law, in that Petitioner charges the facts contained in Paragraph A.

SECOND SPECIFICATION

DISCIPLINARY ACTION BY ANOTHER STATE

Respondent is charged with professional misconduct as defined in N.Y.Educ.Law Sec. 6530(9)(d) by reason of his having his license to practice medicine in Massachusetts revoked by the Commonwealth of Massachusetts Board of Registration in Medicine, a duly authorized disciplinary agency, based upon conduct which would, if committed in New York State, constitute professional misconduct under the laws of New York State, in that Petitioner charges the facts contained in Paragraphs A and B.

DATED: January 14, 1999
Albany, New York


PETER D. VAN BUREN
Deputy Counsel
Bureau of Professional
Medical Conduct