



New York State Board for Professional Medical Conduct

Corning Tower • Empire State Plaza • Albany, NY 12237 • (518) 474-8357

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

Charles J. Vacanti, M.D.
Chair

November 26, 1996

CERTIFIED MAIL-RETURN RECEIPT REQUESTED

Marcos Yu Que, M.D.
629 Charles Sise Street
Lehigh Acres, Florida 33936

RE: License No. 099200

Dear Dr. Que:

EFFECTIVE DATE DECEMBER 3, 1996

Enclosed please find Order #BPMC 96-280 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
Empire State Plaza
Tower Building-Room 438
Albany, New York 12237-0756

Sincerely,

Charles Vacanti, M.D.
Chair
Board for Professional Medical Conduct

Enclosure

cc: Terrence Sheehan, Esq.

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

IN THE MATTER
OF
MARCOS YU QUE, M.D.

SURRENDER
ORDER
BPMC #96-280

Upon the Application of MARCOS YU QUE, M.D. (Respondent) to Surrender his/her license as a physician in the State of New York, which application is made a part hereof, it is

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 15 November 1996

Charles J. Vacanti

CHARLES J. VACANTI, M.D.
Chairperson
State Board for Professional
Medical Conduct

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

IN THE MATTER
OF
MARCOS YU QUE, M.D.

APPLICATION TO
SURRENDER
LICENSE

STATE OF FLORIDA)
COUNTY OF) ss.:

MARCOS YU QUE, M.D., being duly sworn, deposes and says:

On or about July 10, 1967, I was licensed to practice medicine as a physician in the State of New York having been issued License No. 99200 by the New York State Education Department.

My current address is 629 Charles Sise Street, Lehigh Acres, FL 33936 , 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 one specification of professional misconduct as set forth in the Statement of Charges, annexed hereto, made a part hereof, and marked as Exhibit "A".

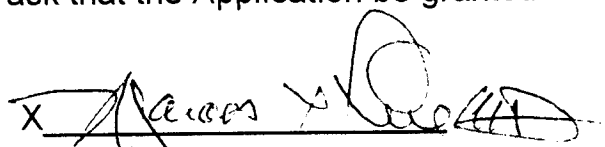
I am applying to the State Board for Professional Medical Conduct for permission to surrender my license as a physician in the State of New York on the grounds that I admit guilt to the specification in full satisfaction of the Statement of Charges.

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.

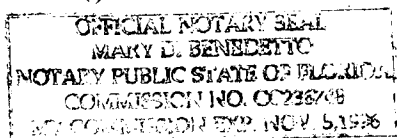
I am making this Application of my own free will and accord and not under duress, compulsion or restraint of any kind or manner. In consideration of the value to me of the acceptance by the Board of this Application, allowing me to resolve this matter without the various risks and burdens of a hearing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

X 
MARCOS YU QUE, M.D.
Respondent

Sworn to before me this

27 day of Sept., 1996


NOTARY PUBLIC



ID. FLORIDA
D/L

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

IN THE MATTER
OF
MARCOS YU QUE, M.D.

APPLICATION TO
SURRENDER
LICENSE

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

Date: 9-27, 1996

X Marcos Yu Que
MARCOS YU QUE, M.D.
Respondent

Date: 10/30, 1996

1. / 13
_____, Esq.
Attorney for Respondent

Date: 10/30, 1996

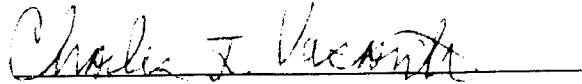
Terrence Sheehan
Terrence Sheehan
Associate Counsel
Bureau of Professional
Medical Conduct

Date: Nov. 7, 1996



ANNE F. SAILE
Acting Director
Office of Professional Medical Conduct

Date: 15 November, 1996



CHARLES J. VACANTI, M.D.
Chairperson
State Board for Professional Medical Conduct

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

IN THE MATTER
OF
MARCOS YU QUE, M.D.

STATEMENT
OF
CHARGES

MARCOS YU QUE, M.D., the Respondent, was authorized to practice medicine in New York State on or about July 10, 1967, by the issuance of license number 99200 by the New York State Education Department.

SPECIFICATION OF CHARGES

HAVING BEEN FOUND GUILTY OF MISCONDUCT

Respondent is charged with committing professional misconduct as defined by N.Y. Educ. Law §6530(9)(b) (McKinney Supp. 1996) by having been found guilty of professional misconduct by a duly authorized professional disciplinary body of another state, where the conduct, if committed in New York State, would constitute professional misconduct under the laws of New York State. This conduct would constitute professional misconduct under N.Y. Educ. Law §§6530(2), (3), (4) and (20). Specifically, Petitioner alleges as follows:

On or about January 29, 1996 the Illinois Department of Professional Regulation, after a formal hearing, determined

Exhibit "A"

that Respondent on numerous occasions had prescribed controlled substances for non-therapeutic purposes.

Based on this finding the Illinois Department of Professional Regulation revoked Respondent's license to practice medicine.

DATED: September , 1996
New York, New York

ROY NEMERSON
Deputy Counsel
Bureau of Professional
Medical Conduct