



New York State Board for Professional Medical Conduct

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

Antonia C. Novello, M.D., M.P.H., Dr. P.H.
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NYS Department of Health*

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*Executive Deputy Commissioner
NYS Department of Health*

Dennis J. Graziano, Director
Office of Professional Medical Conduct

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Chair

Denise M. Bolan, R.P.A.
Vice Chair

Ansel R. Marks, M.D., J.D.
Executive Secretary

November 21, 2001

CERTIFIED MAIL-RETURN RECEIPT REQUESTED

Lillian Dolores Puma, D.O.
6349 East Jordan D'Arc
Scottsdale, AZ 85254

RE: License No. 191953

Dear Dr. Puma:

Enclosed please find Order #BPMC 01-287 of the New York State Board for Professional Medical Conduct. This Order and any penalty provided therein goes into effect November 21, 2001.

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 to Board for Professional Medical Conduct, New York State Department of Health, Hedley Park Place, Suite 303, 433 River Street, Troy, New York 12180.

Sincerely,

Ansel R. Marks, M.D., J.D.
Executive Secretary

Board for Professional Medical Conduct

Enclosure

cc: Robert Bogan, Esq.

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

IN THE MATTER

SURRENDER

OF

ORDER

**LILLIAN DOLORES PUMA, D.O.
CO-00-05-2032-A**

BPMC No. 01-287

LILLIAN DOLORES PUMA, D.O., says:

On or about April 20, 1993, I was licensed to practice medicine as a physician in the State of New York having been issued License No. 191953 by the New York State Education Department. I currently reside at 6349 East Joan D' Arc, Scottsdale, AZ 85254.

I am not currently registered with the New York State Education Department to practice as a physician in the State of New York.

I understand that the New York State Board for Professional Medical Conduct has charged me with seven (7) specifications of professional misconduct as set forth in the Statement of Charges, annexed hereto, made a part hereof, and marked as Exhibit "A."

I have not practiced medicine in New York state since 1993 and I do not intend to return to practice medicine in New York state. I am, therefore, applying to the State Board for Professional Medical Conduct for an agreement to allow me to surrender my license as a physician in the State of New York and request that the Board issue this Surrender Order.

I, hereby, agree not to contest Factual Allegations A, B, C, D, E, and F(1),(2), (4), (6), (8), and (9) and the First through Sixth Specifications set forth in the Statement of Charges (Exhibit A).

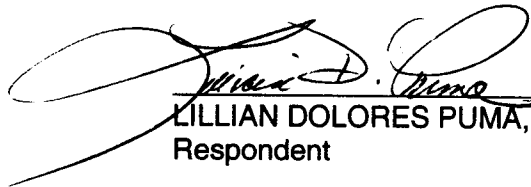
I understand that, in the event that this proposed agreement is not granted by the State Board for Professional Medical Conduct, nothing contained herein shall be binding upon me or construed to be an admission of any act of misconduct alleged or charged against me, such

proposed agreement 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 Board grants my Application, as set forth herein, an order of the Chairperson of the Board shall be issued in accordance with same upon issuance by the Board, which may be accomplished by mailing, by first class mail, a copy of the Order to me at the address set forth above, or to my attorney, or upon transmission via facsimile to me or my attorney, whichever is first.

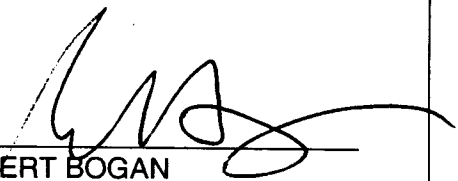
I am making this agreement of my own free will and accord and not under duress, compulsion, or restraint of any kind or manner.

Date: 11-6-01, 2001

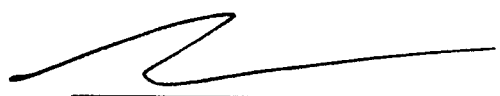

LILLIAN DOLORES PUMA, D.O.
Respondent

AGREED TO:

Date: 9 November, 2001


ROBERT BOGAN
Associate Counsel
Bureau of Professional Medical
Conduct

Date: 16 November, 2001


DENNIS J. GRAZIANO
Director, Office of Professional
Medical Conduct

STATE OF NEW YORK

DEPARTMENT OF HEALTH

STATE BOARD FOR PROFESSIONAL MEDICAL CONDUCT

IN THE MATTER
OF
LILLIAN DOLORES PUMA, D.O.
CO-00-05-2032-A

STATEMENT
OF
CHARGES

LILLIAN DOLORES PUMA, D.O., the Respondent, was authorized to practice medicine in New York state on April 20, 1993, by the issuance of license number 191953 by the New York State Education Department.

FACTUAL ALLEGATIONS

A On or about October 7, 1995, the Arizona Board of Osteopathic Examiners in Medicine and Surgery (hereinafter "Arizona Board"), by a Stipulation and Consent Order (hereinafter "Arizona Order 1"), placed Respondent on probationary status and allowed her to practice Osteopathic medicine and surgery subject to probationary conditions, based on use of Vicodin, a schedule III controlled substance, without receiving the drug in the course of regular medical treatment.

B. On or about October 29, 1996, the State of New York, Department of Health, State Board for Professional Medical Conduct (hereinafter "New York Board"), by an Order (hereinafter "New York Order"), placed Respondent on four (4) years probation with Terms of Probation that include that Respondent shall conduct herself in all ways in a manner befitting her professional status, and shall conform fully to the moral and professional standards of conduct and obligations imposed by law and by her profession, based on her having been disciplined by the state of Arizona as described in Arizona Order 1 (described in Paragraph A above), for using Vicodin outside the course of regular medical treatment.

C. On or about March 7, 2000, the Arizona Board by a Findings of Fact, Conclusions of Law and Board Order for Probation (hereinafter "Arizona Order 2"), placed Respondent's license on PROBATION for two (2) years with terms and conditions, based on prescribing, dispensing or administering controlled substances, or prescription only drugs, for other than accepted therapeutic purposes, engaging in the practice of medicine in a manner that harms or may harm a patient, or that the Board determines falls below the community standard, failing or refusing to keep adequate records, signing a blank, undated or predated prescription form, and prescribing or dispensing controlled substances or prescription only medications without maintaining adequate and appropriate patient records.

D. On or about May 12, 2001, the Arizona Board, by a Findings of Fact, Conclusion of Law, and Order of Summary Suspension (hereinafter "Arizona Order 3"), Summarily Suspended Respondent's license to practice Osteopathic medicine, and required her to submit herself for such oral or written, mental, physical or medical competency examinations, or any combination thereof, as may be designated by the Arizona Board, based on failure to maintain adequate medical records, failure to comply with Arizona Order 2 (described in Paragraph C above), and inappropriate prescribing of controlled substances.

E. On or about August 25, 2001, the Arizona Board, by a Stipulation and Consent Order of Suspension and Probation of License (hereinafter "Arizona Order 4"), suspended Respondents medical license, upon lifting of the suspension her license shall be placed on five (5) years probation and during the probation, restricted her from prescribing or administering any Schedule II controlled substances and imposed other conditions to include mental status, evaluations, CME, and to reimburse the Arizona Board \$1,500.00 for expenses, based on failing or refusing to maintain adequate medical records, violating a formal order, probation or a stipulation issued by the Arizona Board, lack of or inappropriate direction, collaboration or supervision of a licensed, certified or registered health care provider or office personnel employed by or assigned to the physician in the medical care of patients, and prescribing or dispensing controlled substances or prescription only medications without maintaining adequate and appropriate patient records.

F. The conduct resulting in the Arizona Board disciplinary actions against Respondent would constitute misconduct under the laws of New York State, pursuant to the following sections of New York State law:

1. New York Education Law §6530(2) (practicing the profession beyond its authorized scope);
2. New York Education Law §6530(3) (negligence on more than one occasion);
3. New York Education Law §6530(5) (incompetence on more than one occasion);
4. New York Education Law §6530(16) (failure to comply with substantial provisions of federal, state, or local laws, rules, or regulations governing the practice of medicine);
5. New York Education Law §6530(20) (moral unfitness);
6. New York Education Law §6530(24) (practicing beyond the scope authorized by law);
7. New York Education Law §6530(29) (violating a term of probation or condition or limitation imposed);
8. New York Education Law §6530(32) (failing to maintain accurate records); and/or
9. New York Education Law §6530(33) (failing to exercise appropriate supervision over persons who are authorized to practice only under the supervision of the licensee.

SPECIFICATIONS

FIRST THROUGH THIRD SPECIFICATION

Respondent violated New York Education Law §6530(9)(b) by having been found guilty of improper professional practice or professional misconduct by a duly authorized professional disciplinary agency of another state, where the conduct resulting in the disciplinary action would constitute professional misconduct under the laws New York state, in that Petitioner charges:

1. The facts in Paragraphs C and/or F.
2. The facts in Paragraphs D and/or F.
3. The facts in Paragraphs E and/or F.

FOURTH THROUGH SIXTH SPECIFICATIONS

Respondent violated New York Education Law §6530(9)(d) by having had disciplinary action taken after a disciplinary action was instituted by a duly authorized professional disciplinary agency of another state, where the conduct resulting in the disciplinary action would,

if committed in New York state, constitute professional misconduct under the laws of New York state, in that Petitioner charges:


4. The facts in Paragraphs C and/or F.
5. The facts in Paragraphs D and/or F.
6. The facts in Paragraphs E and/or F.

SEVENTH SPECIFICATION

Respondent violated New York Education Law §6530 (29) by violating a term of probation or condition or limitation imposed on the licensee pursuant to section two hundred thirty of the public health law, in that Petitioner charges:

7. The facts in Paragraphs A, B, C, D, E, and/or F.

DATED: *Sept. 4*, 2001
Albany, New York


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

ORDER

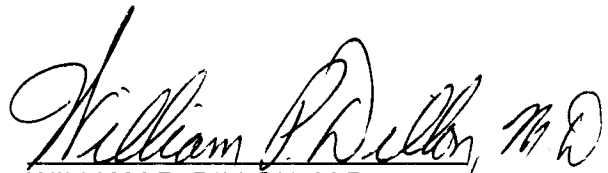
Upon the proposed agreement of **LILLIAN DOLORES PUMA, D.O.**, to Surrender his license as a physician in the State of New York, which proposed agreement is made a part hereof, it is **AGREED TO** and

ORDERED, that the proposed agreement and the provisions thereof are hereby adopted; it is further

ORDERED, that the name of the Respondent be stricken from the roster of physicians in the State of New York; it is further

ORDERED, that this Order shall be effective upon issuance by the Board, which may be accomplished by mailing, by first class mail, a copy to Respondent at the addresses set forth in this agreement, or to Respondent's attorney, or upon transmission via facsimile to Respondent or Respondent's attorney, whichever is earliest.

DATED: 11/20, 2001


WILLIAM P. DILLON, M.D.
Chair
State Board for Professional
Medical Conduct