



**Board for Professional Medical Conduct**

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

Mark R. Chassin, M.D., M.P.P., M.P.H.  
Commissioner

C. Maynard Guest, M.D.  
Executive Secretary

September 23, 1993

**CERTIFIED MAIL-RETURN RECEIPT REQUESTED**

Manuel Ramirez, M.D.  
P.O. Box 2120  
Guymon, Oklahoma 73492

RE: License No. 136841  
Effective Date: 9/30/93

Dear Dr. Ramirez:

Enclosed please find Order #BPMC 93-147 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,

C. Maynard Guest, M.D.  
Executive Secretary  
Board for Professional Medical Conduct

Enclosure

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

-----X  
:  
IN THE MATTER :  
OF : ORDER  
MANUEL JOSEPH RAMIEREZ, M.D. : BPMC #93-147  
:  
-----X

Upon the Application to Surrender License of Manuel Joseph Ramirez, which Application is made a part hereof, it is ORDERED, that the Application and the provisions therein are hereby adopted and it is further

ORDERED that this Order shall take effect as of the date of the personal service of this Order upon the Respondent or upon Respondent's receipt of the Order by certified mail, or seven days after the date of the letter transmitting the Order to Respondent by certified mail, whichever is earlier.

SO ORDERED,

DATED: 20 September 1993

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

GLJ-26-1993 14:01

FROM NYSEDH COUNSEL'S OFFICE

TO

9-4325221 P.02

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

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IN THE MATTER

OF

MANUEL JOSEPH RAMIREZ, M.D.

APPLICATION TO  
SURRENDER  
LICENSE

-----  
STATE OF OKLAHOMA )

ss.:

COUNTY OF CIMARRON )

MANUEL JOSEPH RAMIREZ, M.D., being duly sworn, deposes and says:

On or about November 24, 1978, I was licensed to practice as a physician in the State of New York having been issued License No. 136841 by the New York State Education Department. I am not presently registered to practice as a physician in the State of New York. My address as shown on my last registration with the New York State Education Department is P.O. Box 2120, Guymon, Oklahoma 73942.

I understand that I have been charged with two (2) specifications of professional misconduct as set forth in the Statement of Charges, annexed hereto, made a part hereof, and marked as Exhibit "A".

By final order dated March 22, 1990, the Oklahoma State Board for Medical Licensure and Supervision made certain Findings of Fact and Conclusions of Law with respect to actions by me in the State of Oklahoma. Said findings of fact and conclusions of law constitute the sole basis for the Second Specification set forth in the Statement of Charges annexed hereto.

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 do not contest the Second Specification of Professional misconduct set forth in the charges. I hereby make this application to the State Board for Professional Medical Conduct and request that it be granted.

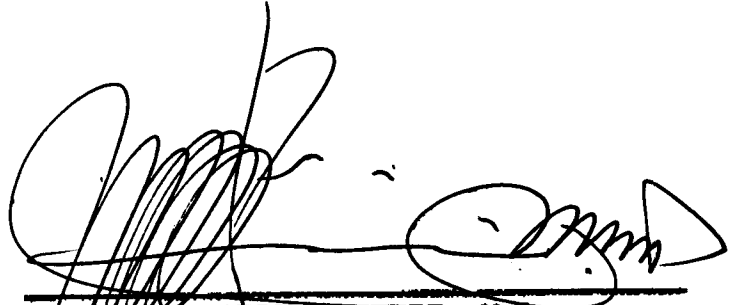
I understand that, in the event that the application is not granted by the State Board for Professional Medical Conduct, nothing contained herein shall be binding upon me or construed to be an admission of any act of misconduct alleged or charged against me, such application shall not be used against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

AUG-26-1993 14:02 FROM NYSDOH COUNSEL'S OFFICE TO 9-4325221 P.04

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.



MANUEL JOSEPH RAMIREZ, M.D.  
Respondent

Sworn to before me this  
26<sup>th</sup> day of August, 1993.

  
NOTARY PUBLIC



AUG-26-1993 14:03 FROM NYSDOH COUNSEL'S OFFICE TO

9-4325221 P.06

Date: ~~August~~ <sup>20 September</sup> 1993

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

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

-----X  
IN THE MATTER : STATEMENT  
OF : OF  
MANUEL JOSEPH RAMIREZ, M.D. : CHARGES  
-----X

MANUEL JOSEPH RAMIREZ, M.D., the Respondent, was authorized to practice medicine in New York State on November 24, 1978 by the issuance of license number 136841 by the New York State Education Department. The Respondent is not currently registered with the New York State Education Department to practice medicine in New York State. Respondent's address as shown on Respondent's last registration with the New York State Education Department is P.O. Box 2120, Guymon OK 73942.

FACTUAL ALLEGATIONS

A. On or around July 12, 1989, Oklahoma Bureau of Narcotics and Dangerous Drug Agent Dea Cornell, posing as patient "Danni Davis", met with the Respondent in his office and requested a prescription for Didrex, a Schedule III controlled dangerous substance. Without sufficient examination or establishing a valid physician-patient relationship and without any medical need, Respondent did agree to prescribe Didrex

EXHIBIT "A"



50mg., 20 dosage units, and telephoned in that prescription for the aforesaid patient to the United Discount Drug, Guymon, Oklahoma.

B. On or around July 12, 1989, Oklahoma Bureau of Narcotics and Dangerous Drug Agent Kathryn Mays, posing as patient "Kathryn Mitchell", met with Respondent in his office. Without establishing a valid physician-patient relationship, without establishing any medical need, and without sufficient examination, the Respondent did agree to prescribe Tylenol # 3 with Codeine, 25 dosage units, a Schedule III controlled dangerous substance, to the agent/patient and telephoned in that prescription to the United Discount Drug, Guymon, Oklahoma.

C. On July 25, 1989, Oklahoma Bureau of Narcotics and Dangerous Drug Agent L.J., posing as patient "Larry Reagan", met with Respondent in the physician's office. The agent/patient requested a prescription for Valium 10 mg., a controlled dangerous substance. Without sufficient examination, the establishment of a valid physician-patient relationship, and without demonstrated medical need, Respondent did prescribe 20 dosage units of Valium 10mg. by telephone to the United Discount Drug, Guymon, Oklahoma.

D. On August 15, 1989, Oklahoma Bureau of Narcotics and Dangerous Drug Agent D.C., posing as patient "Danni Davis", met with Respondent in the physician's office. The agent/patient requested a prescription for controlled dangerous substances but

did not demonstrate any medical need. Respondent did not undertake sufficient examination or establish a valid physician-patient relationship, but did prescribe Didrex 50mg., 20 dosage units, and Kanax 0.5mg., 20 dosage units, both controlled dangerous substances, by telephone to the United Discount Drug, Guyton, Oklahoma.

E. Prescription drugs Didrex (Benzphetamine Hydrochloride) and Tylenol with Codeine are and during July and August 1989 were Schedule III Controlled Substance in the states of Oklahoma and New York. During the same period prescription drugs Valium and Kanax were and still are Schedule IV Controlled Substances in the States of Oklahoma and New York.

F. During July and August, 1989 the Oklahoma State Medical Practice Act, 59 O.S. 1981, Sec. 509, Paragraph 13 prohibited the administration or prescribing of a drug or treatment without sufficient examination and the establishment of a valid physician patient relationship.

G. During the months of July and August 1989 Rule F of the Rules and Regulations of the Oklahoma State Board for Medical Licensure and Supervision prohibited the dispensing, prescribing or administration of a controlled substance or narcotic without medical need therefor.

**SPECIFICATION OF CHARGES****FIRST SPECIFICATION****PRACTICING THE PROFESSION FRAUDULENTLY**

Respondent is charged with practicing the profession fraudulently in violation of N.Y. Educ. Law Section 6530(2) (McKinney's Supp. 1993) (formerly N.Y. Educ Law Section 6509(2)) in that Petitioner charges:

1. The facts in paragraphs A, B, C, D and/or E.

**SECOND SPECIFICATION****FAILURE TO COMPLY WITH LAWS AND REGULATIONS****GOVERNING THE PRACTICE OF MEDICINE**

Respondent is charged with the willful or grossly negligent failure to comply with substantial provisions of federal, state or local laws, rules or regulations governing the practice of medicine in violation of NY Educ. Law Section 6530(16) (McKinney's Supp 1993) in that Petitioner charges:

2. The facts in paragraphs A, B, C, D, E, F and/or G.

SENT BY:

6-20-93 4:01 PM VASHTIE AND WARDEN

9-4320641 F.12

AUG-26-93 THU  
AUG-26-1993 14:05 FROM NYSDOH COUNSEL'S OFFICE TO

DATED: Albany, New York  
June 3, 1993

*Peter D. Van Buren*  
PETER D. VAN BUREN  
Deputy Counsel  
Bureau of Professional Medical  
Conduct