

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

July 29, 1997

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

William J. Lynch, Esq.
NYS Department of Health
Bureau of Professional Medical Conduct
Corning Tower Bldg. - Room 2503
Albany, New York 12237

Christopher Nolan Reid, M.D.
210 Cornelia Street, Suite 406
Plattsburgh, New York 12901

RE: In the Matter of Christopher Nolan Reid, M.D.

Dear Mr. Lynch and Dr. Reid:

Enclosed please find the Determination and Order (No. BPMC-97-182) of the Hearing Committee in the above referenced matter. This Determination and Order shall be deemed effective upon the receipt or seven (7) days after mailing by certified mail as per the provisions of §230, subdivision 10, paragraph (h) of the New York State Public Health Law.

Five days after receipt of this Order, you will be required to deliver to the Board of Professional Medical Conduct your license to practice medicine if said license has been revoked, annulled, suspended or surrendered, together with the registration certificate. Delivery shall be by either **certified mail or in person** to:

Office of Professional Medical Conduct
New York State Department of Health
Hedley Park Place
433 River Street - Fourth Floor
Troy, New York 12180

If your license or registration certificate is lost, misplaced or its whereabouts is otherwise unknown, you shall submit an affidavit to that effect. If subsequently you locate the requested items, they must then be delivered to the Office of Professional Medical Conduct in the manner noted above.

As prescribed by the New York State Public Health Law §230, subdivision 10, paragraph (i), and §230-c subdivisions 1 through 5, (McKinney Supp. 1992), "the determination of a committee on professional medical conduct may be reviewed by the Administrative Review Board for professional medical conduct." Either the licensee or the Department may seek a review of a committee determination.

Request for review of the Committee's determination by the Administrative Review Board stays penalties **other than suspension or revocation** until final determination by that Board. Summary orders are not stayed by Administrative Review Board reviews.

All notices of review must be served, by **certified mail**, upon the Administrative Review Board **and** the adverse party within fourteen (14) days of service and receipt of the enclosed Determination and Order.

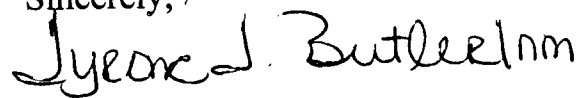
The notice of review served on the Administrative Review Board should be forwarded to:

James F. Horan, Esq., Administrative Law Judge
New York State Department of Health
Bureau of Adjudication
Hedley Park Place
433 River Street, Fifth Floor
Troy, New York 12180

The parties shall have 30 days from the notice of appeal in which to file their briefs to the Administrative Review Board. Six copies of all papers must also be sent to the attention of Mr. Horan at the above address and one copy to the other party. The stipulated record in this matter shall consist of the official hearing transcript(s) and all documents in evidence.

Parties will be notified by mail of the Administrative Review Board's
Determination and Order.

Sincerely,

A handwritten signature in black ink that reads "Tyrone T. Butler". The signature is written in a cursive style with a large, prominent "T" and "B".

Tyrone T. Butler, Director
Bureau of Adjudication

TTB:crc
Enclosure

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

COPY

IN THE MATTER

-OF-

CHRISTOPHER NOLAN REID, M.D.

**DECISION
AND ORDER
OF THE
HEARING
COMMITTEE**

**ORDER NO.
BPMC 97- 182**

The undersigned Hearing Committee consisting of **GERALD M. BRODY, M.D.,** Chairperson, **ALBERT L. BARTOLETTI, M.D.,** and **D. MARISA FINN,** was duly designated and appointed by the State Board for Professional Medical Conduct. **JONATHAN M. BRANDES, ESQ.,** Administrative Law Judge, served as Administrative Officer.

The hearing was conducted pursuant to the provisions of Section 230(10) of the New York State Public Health Law and Sections 301-307 and 401 of the New York State Administrative Procedure Act to receive evidence concerning alleged violations of provisions of Section 6530 of the New York Education Law by **CHRISTOPHER NOLAN REID, M.D.** (herein after referred to as "Respondent"). Respondent did not appear. No witnesses were examined. A stenographic record of the hearing was made. Exhibits were received in evidence and made a part of the record.

The Committee has considered the entire record in the above captioned matter and hereby renders its decision with regard to the charges of medical misconduct.

RECORD OF PROCEEDING

Notice of Hearing and Statement of Charges:	Dated: June 11, 1997	Served: July 1, 1997
Notice of Hearing returnable:	July 29, 1997	
Location of Hearing:	Hedley Building, New York	
Respondent's answer :	Default	
The State Board for Professional Medical Conduct (hereinafter referred to as "Petitioner" or "The State") appeared by:	WILLIAM J. LYNCH, Esq. Senior Attorney Bureau of Professional Medical Conduct Corning Tower Building Room 2503 Albany, New York 12237	
Respondent's last known addresses:	210 Cornelia Street, Suite 406 Plattsburgh, New York 12901	
Respondent's License:	License Date: April 30, 1985	License Number: 162037
Pre-Hearing Conference Held:	July 29, 1997	
Hearings held on:	July 29, 1997	
Conferences held on:	None	
Closing briefs received:	None	
Record closed:	July 29, 1997	
Deliberations held:	July 29, 1997	

SUMMARY OF PROCEEDINGS

The Statement of Charges in this proceeding alleges a single specification of misconduct. Respondent is alleged to be an habitual abuser of alcohol. The said charges arise from a conviction of driving while under the influence of alcohol on three separate occasions. The said conviction took place in 1992. The charges herein are more particularly set forth in the Statement of Charges, which is attached hereto as Appendix One.

Respondent did not appear in person, by attorney or in writing.

Petitioner called no witnesses.

SIGNIFICANT LEGAL RULINGS

1. The Administrative Law Judge ruled that Petitioner had established proper service upon Respondent under the appropriate statute.
2. The Administrative Law Judge ruled that jurisdiction of Respondent was established.
3. The Administrative Law Judge ruled that Respondent was in default.

FINDINGS OF FACT

1. The Committee adopts the factual statements set forth on pages one and two of the Statement of Charges (Appendix One).

CONCLUSIONS
WITH REGARD TO
FACTUAL ALLEGATIONS
AND
PENALTY

Respondent was given notice of this proceeding and an opportunity to be heard in opposition or mitigation of the charges. Respondent did not avail himself of this opportunity. The failure of Respondent to answer the charges herein constitutes an admission of the charges, as set forth in the Statement of Charges. Therefore, Respondent has admitted he was caught driving under the influence of alcohol on four separate occasions. He was convicted of three such incidents and was charged with a fourth. He failed to appear to answer the fourth charge and is presently under an arrest warrant. His whereabouts are unknown.

The State has established both jurisdiction and the facts alleged. It is concluded that Respondent has left society in continuance of his alcoholism or other anti-social activity. Such a person has no place in the medical community. The only appropriate response for this Committee is to revoke the license of this individual.

ORDER

WHEREFORE, Based upon the preceding facts and conclusions,

It is hereby **ORDERED** that:

1. The Factual allegations in the Statement of Charges are **SUSTAINED**;

Furthermore, it is hereby **ORDERED** that;

2. The Specifications of Misconduct contained within the Statement of Charges (Appendix One) are **SUSTAINED**;

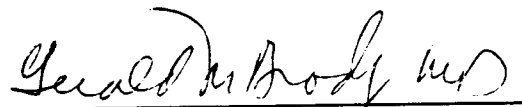
Furthermore, it is hereby **ORDERED** that;

3. The license of Respondent to practice medicine in the State of New York is hereby **REVOKED**;

Furthermore, it is hereby **ORDERED** that;

4. This order shall take effect **UPON RECEIPT** or **SEVEN (7) DAYS** after mailing of this order by Certified Mail.

Dated:
Troy, New York
July 29, 1997


GERALD M. BRODY, M.D., Chairperson

ALBERT L. BARTOLETTI, M.D.,
D. MARISA FINN



TO:
WILLIAM J. LYNCH, Esq.
Senior Attorney
Bureau of Professional Medical Conduct
Corning Tower Building Room 2503
Albany, New York 12237

CHRISTOPHER NOLAN REID, M.D.
210 Cornelia Street, Suite 406
Plattsburgh, New York 12901

APPENDIX ONE

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

-----X

IN THE MATTER : STATEMENT
OF : OF
CHRISTOPHER NOLAN REID : CHARGES

-----X

CHRISTOPHER NOLAN REID, M.D., the Respondent, was authorized to practice medicine in New York State on April 30, 1985, by the issuance of license number 162037 by the New York State Education Department. The Respondent is currently registered with the New York State Education Department to practice medicine for the period September 1, 1996, through August 31, 1998, with a registration address of 210 Cornelia Street, Suite 406, Plattsburgh, New York 12901.

FACTUAL ALLEGATIONS

1. On July 28, 1992, Respondent was convicted of driving while impaired on September 7, 1990; driving with .10 of one per centum or more of alcohol on September 30, 1991; and driving with .10 of one per centum or more of alcohol on June 25, 1992.

2. On August 18, 1993, Respondent entered into a Voluntary Agreement with the Office of Professional Medical Misconduct in which he agreed, among other terms and conditions, that he would remain alcohol free for five years thereafter.

3. On July 5, 1996, Respondent did not remain alcohol free and was charged with driving with .10 of one per centum or more of alcohol. On August 13, 1996, Respondent failed to appear in the Plattsburgh Town Court on the charges, and a warrant was issued for his arrest.

SPECIFICATION

Respondent is charged with professional misconduct under N.Y. Educ. Law §6530(8) (McKinney Supp. 1997) by reason of his being an habitual abuser of alcohol in that Petitioner charges the facts in Paragraph 1, 2, and/or 3.

DATED: *June 11*, 1997
Albany, New York

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