



New York State Board for Professional Medical Conduct

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

Dennis P. Whalen
Executive Deputy Commissioner of Health
Anne F. Saile, Director
Office of Professional Medical Conduct
William J. Comiskey, Chief Counsel
Bureau of Professional Medical Conduct

William P. Dillon, M.D.
Chair
Denise M. Bolan, R.P.A.
Vice Chair
Ansel R. Marks, M.D., J.D.
Executive Secretary

April 20, 1999

CERTIFIED MAIL-RETURN RECEIPT REQUESTED

Jeffrey R. Reiss, M.D.
52017 Beenman Avenue
North Hollywood, California 91607

RE: License No. 144116

Dear Dr. Reiss:

Enclosed please find Order #BPMC 99-78 of the New York State Board for Professional Medical Conduct. This Order and any penalty provided therein goes into effect **April 20, 1999**.

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: Benjamin Geizhals, Esq.
Davidoff and Malito, LLP
605 Third Avenue
New York, New York 10158

Robert Bogan, Esq.

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

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IN THE MATTER : SURRENDER
OF : ORDER
JEFFREY R. REISS, M.D. : BPMC # 99-78

-----X

JEFFREY R. REISS, M.D., says:

On or about October 24, 1980, I was licensed to practice medicine as a physician in the State of New York having been issued License No. 144116 by the New York State Education Department.

I understand that I have been charged with two specifications 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 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 the allegations and specifications set forth in the Statement of Charges. I have made this decision because of the time and expense that would be involved in contesting the allegations and specifications and in light of the fact that I have not maintained the active practice of medicine in New York State and do not intend to do so in the foreseeable future.

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 State Board for Professional Medical Conduct agrees with my proposal, this Order shall be issued striking my name from the roster of physicians in the State of New York without further notice to me. I agree that this Order shall be effective 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 earliest.

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

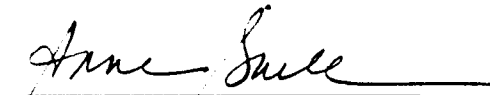

JEFFREY R. REISS, M.D.
Respondent

AGREED TO:

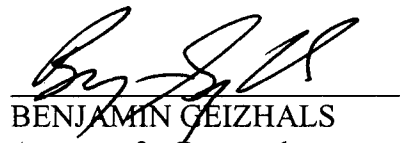
Date: April 13, 1999


ROBERT BOGAN
Assistant Counsel
Bureau of Professional
Medical Conduct

Date: April 13, 1999


ANNE F. SAILE
Director, Office of
Bureau of Professional
Medical Conduct

Date: April 5, 1999


BENJAMIN GEIZHALS
Attorney for Respondent

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

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IN THE MATTER : STATEMENT
OF : OF
JEFFREY R. REISS, M.D. : CHARGES

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JEFFREY R. REISS, M.D., the Respondent, was authorized to practice medicine in New York State on October 24, 1980 by the issuance of license number 144166 by the New York State Education Department.

FACTUAL ALLEGATIONS

A. A Decision And Order dated May 14, 1998 before the Division of Medical Quality, Medical Board of California (hereinafter "California Board") adopted as their Decision and Order a Stipulated Settlement and Decision dated March 4, 1998.

B. The Stipulated Settlement And Decision referred to in paragraph A was entered into by the Respondent and his attorney and was endorsed on March 5, 1998. It revoked the Respondent's certificate to practice medicine. The revocation however, was stayed and the Respondent was placed on five (5) years probation with terms and conditions.

EXHIBIT A

C. The Decision And Order and the Stipulated Settlement And Decision referred to in paragraphs A and B above was predicated on a First Amended Accusation dated August 22, 1977. This document alleged, among other things, that Respondent:

1. surgically removed and/or cut without any medical justification the uterus of a patient;
2. failed to detect the presence of twin fetuses during a D & C procedure which resulted in the expulsion of only one of the fetuses of a patient;
3. during a total hysterectomy and bilateral salpingo-oophorectomy (removal of both ovaries and fallopian tubes) of a patient, Respondent inadvertently perforated the bladder (cystotomy) and concluded the surgery without recognizing the injury then and during the post-partial period prior to corrective surgery;
4. in performing a total abdominal hysterectomy and bilateral salpingo-oophorectomy of a patient, incorporated the bladder while doing the vaginal cuff which resulted in injuries to both the uterus and bladder and unrecognized injuries during the surgical procedure;
5. admitted a patient for delivery of her child and was unavailable to perform a cesarean delivery over of six hour period;
6. failed to determine whether a patient was pregnant prior to performing a hysterosalpingogram unnecessarily exposing the embryo to both radiation and trauma from the dye injection.

D. The conduct resulting in the California Board's disciplinary action against Respondent would constitute misconduct under the laws of New York State, pursuant to the following section of New York State law:

1. N.Y. Education Law Section 6530(3) [negligence on more than one occasion];
2. N.Y. Education Law Section(4) [gross negligence];
3. N.Y. Education Law Section 66530(5) [incompetence on more than one occasion]; and

4. N.Y. Education Law Section 6530(6) [gross incompetence].

SPECIFICATIONS

FIRST SPECIFICATION

Respondent is guilty of violating N.Y. Education Law §6530(9)(b) by reason of having been found guilty of improper professional practice or professional misconduct by a duly authorized professional disciplinary agency of another state where the conduct upon which the finding was based would, if committed in New York State, constitute professional misconduct under the laws of New York State, in that the Petitioner charges the following:

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

SECOND SPECIFICATION

Respondent is guilty of professional misconduct under N.Y. Education Law §6530(9)(d) by reason of his having had disciplinary action taken against him 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:

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

DATED: *October 28*, 1998
Albany, New York



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

ORDER

Upon the proposed agreement of JEFFREY R. REISS, M.D., 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 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 of this Order to Respondent at the address set forth in this agreement or to Respondent's attorney, or upon transmissions via facsimile to Respondent or Respondent's attorney, whichever is earliest.

DATED: 4/15/99



William P. Dillon, M.D.
Chair
State Board for Professional
Medical Conduct