



**Department
of Health**


KATHY HOCHUL
Governor

JAMES V. McDONALD, M.D., M.P.H.
Commissioner

JOHANNE E. MORNE, M.S.
Executive Deputy Commissioner

April 22, 2024

CERTIFIED MAIL-RETURN RECEIPT REQUESTED

Jonathan M. Ross, M.D.


Re: License No. 127593

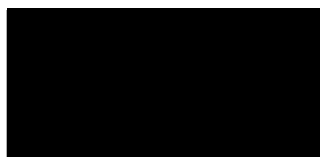
Dear Dr. Ross:

Enclosed is a copy of the New York State Board for Professional Medical Conduct (BPMC) Modification Order No. 24-089. This order and any penalty provided therein goes into effect April 29, 2024.

The Board Order checklist requires your review and compliance as it relates to your Order.

Please direct any questions to: Board for Professional Medical Conduct, Riverview Center, 150 Broadway, Suite 355, Albany, New York 12204, telephone # 518-402-0846.

Sincerely,



David Besser, M.D.
Executive Secretary
Board for Professional Medical Conduct

Enclosure

**IN THE MATTER
OF
JONATHAN ROSS, M.D.**

**MODIFICATION
ORDER**

Upon the proposed Application for a Modification Order of Jonathan Ross, M.D. (Respondent), which is made a part of this Modification Order, it is agreed to and ORDERED, that the attached Application, and its terms, are adopted and SO ORDERED, and it is further

ORDERED, that this Modification Order shall be effective upon issuance by the Board, either

- by mailing of a copy of this Modification Order, either by first class to Respondent at the address in the attached Application or by certified mail to Respondent's attorney, OR
- upon facsimile transmission to Respondent or Respondent's attorney, whichever is first.

SO ORDERED.

DATE: 4/19/2024


THOMAS T. LEE, M.D.
Chair
State Board for Professional Medical Conduct

IN THE MATTER
OF
JONATHAN ROSS, M.D.

MODIFICATION
AGREEMENT
AND
ORDER

Jonathan Ross, M.D., represents that all of the following statements are true:

That on or about July 1, 1976, I was licensed to practice as a physician in the State of New York and issued License No. 127593 by the New York State Education Department.

My current address is [REDACTED]

and I will advise the Director of the Office of Professional Medical Conduct of any change of address.

I am currently subject to Determination and Order #01-82, which was issued following a hearing before a Committee of the Board for Professional Medical Conduct, pursuant to N.Y. Pub. Health Law § 230(10) (Attachment I) (henceforth "Original Order"). I hereby apply to the State Board for Professional Medical Conduct for an Order (henceforth "Modification Order"), modifying the Original Order, as follows:

The sanction imposed in the Original Order was:

1. That Respondent is required either:
 - a. to complete successfully the monitoring program imposed by the New Hampshire agreement, prior to his return to medical practice in New York State; or

- b. If the Respondent returns to New York State prior to the completion of the New Hampshire monitoring program with the intention of practicing medicine in New York State, to enter into a monitoring program with terms that are substantially equivalent to those of the New Hampshire program. The duration of the new monitoring program must equal the uncompleted time in the New Hampshire monitoring program. Such New York State program must be approved by the petitioner (the Department) and must be in place prior to the resumption of the Respondent's practice in New York State.
2. Upon resumption of Respondent's medical practice in New York State, the Respondent is prohibited from conducting physical examinations of female patients unless another woman is present during the examination.

From the effective date of this Modification Order, the imposed sanctions shall be modified to read as follows:

- Pursuant to N.Y. Pub. Health Law § 230-a(6), Respondent shall be subject to a limitation precluding registration or issuance of any further license; and
- That Respondent, who does not currently practice in the State of New York, shall be precluded from practicing medicine in New York State, from practicing in any setting where Respondent's practice is based solely on Respondent's New York license, and from further reliance upon Respondent's New York license to practice medicine to exempt Respondent from the licensure, certification or other requirements set

forth in statute or regulation for the practice of any other profession licensed, regulated or certified by the Board of Regents, Department of Education, Department of Health or the Department of State; and

- That Respondent shall, within 30 days of the issuance of the Modification Order, notify the New York State Education Department, Division of Professional Licensing Services, that Respondent's license status is "inactive", and shall provide proof of such notification to the Director of OPMC immediately upon having done so, and shall not reactivate or reregister the license at any time. This Modification Order shall strike the Condition in the Original Order requiring Respondent to maintain active registration of Respondent's license with the New York State Education Department, Division of Professional Licensing Services, to pay all registration fees; and
- That Respondent shall comply with all the conditions set forth in attached "Attachment II" ("Requirements for Closing a Medical Practice Following an Agreement to Never Register/Never Practice");

and

- Effective from the date of this Modification Order, the conditions in the Original Orders that require Respondent to develop, maintain, and /or update a physician profile shall terminate;

and

All remaining Terms and Conditions will continue as written in the Original Order.

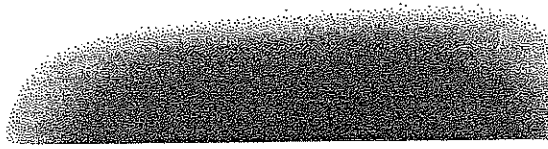
I make this Application of my own free will and accord and not under duress, compulsion or restraint, and seek the anticipated benefit of the requested Modification. In consideration of the value to me of the acceptance by the Board of this Application, I knowingly waive my right to contest the Original Order or the Modification Order for which I apply, whether administratively or judicially, and ask that the Board grant this Application.

I understand and agree that the attorney for the Department, the Director of the Office of Professional Medical Conduct and the Chair of the State Board for Professional Medical Conduct each retain complete discretion either to enter into the proposed agreement and Order, based upon my application, or to decline to do so. I further understand and agree that no prior or separate written or oral communication can limit that discretion.

DATE 4/16/24



JONATHAN ROSS, M.D.
RESPONDENT



The undersigned agree to Respondent's attached Modification Agreement and to its proposed penalty, terms and conditions.

DATE: _____

, ESQ.
Attorney for Respondent

DATE: 04/19/2024

COURTNEY BERRY
Associate Counsel
Bureau of Professional Medical Conduct

DATE: 4/19/2024

For
SHELLY WANG BANDAGO
Director
Office of Professional Medical Conduct

ATTACHMENT I



STATE OF NEW YORK
DEPARTMENT OF HEALTH

433 River Street, Suite 303

Troy, New York 12180-2299

Antonia C. Novello, M.D., M.P.H., Dr.P.H.
Commissioner


Dennis P. Whalen
Executive Deputy Commissioner

April 4, 2001

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

Robert Bogan, Esq.
Paul Robert Maher, Esq.
NYS Department of Health
Hedley Park Place -4th Floor
433 River Street
Troy, New York 12180

Charles Platto, Esq.
8 Beaver Meadow Road
P.O. Box 1111
Norwich, Vermont 05055

Jonathan M. Ross, M.D.


Jonathan M. Ross, M.D.
Dartmouth Hitchcock Clinic
Lebanon, New Hampshire 03756

RE: In the Matter of Jonathan M. Ross, M.D.

Dear Parties:

Enclosed please find the Determination and Order (No. 01-82) 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.

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.

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.

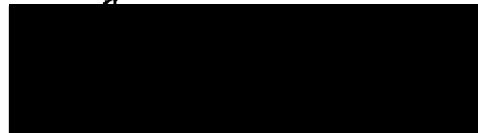
The notice of review served on the Administrative Review Board should be forwarded to:

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 solid black rectangular redaction box covering the signature of Tyrone T. Butler.

Tyrone T. Butler, Director
Bureau of Adjudication

TTB:cah
Enclosure

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

COPY

IN THE MATTER
OF
JONATHAN M. ROSS, M.D.

DETERMINATION

AND

ORDER

BPMC 01-82

A Notice of Referral Proceeding and Statement of Charges, both dated November 20, 2000, were served upon the Respondent, Jonathan M. Ross, M.D.

Richard N. Ashley, M.D., Chairperson, Kendrick A. Sears, M.D., and Mr. Irving S. Caplan, duly designated members of the State Board for Professional Medical Conduct, served as the Hearing Committee in this matter pursuant to Section 230(10)(e) of the Public Health Law. John Wiley, Esq., Administrative Law Judge, served as the Administrative Officer.

A hearing was held on March 22, 2001, at the Offices of the New York State Department of Health, Hedley Park Place, 433 River Street, Troy, New York. The Department appeared by Donald P. Berens, Jr., Esq., General Counsel, by Robert Bogan, Esq., and Paul Robert Maher, Esq., of Counsel. The Respondent appeared in person and was represented by Charles Platto, Esq., 8 Beaver Meadow Road, P.O. Box 1111, Norwich, Vermont 05055.

Evidence was received and transcripts of these proceedings were made.

After consideration of the entire record, the Hearing Committee issues this Determination and Order.

STATEMENT OF THE CASE

This case was brought pursuant to Public Health Law Section 230(10)(p). The statute provides for an expedited hearing when a licensee is charged solely with a violation of Education Law Section 6530(9). In such cases, a licensee is charged with misconduct based upon a prior criminal conviction in New York or another jurisdiction, or upon a prior administrative adjudication regarding conduct that would amount to professional misconduct, if committed in New York. The scope of an expedited hearing is limited to a determination of the nature and severity of the penalty to be imposed upon the licensee.

In the instant case, the Respondent is charged with professional misconduct pursuant to Education Law Section 6530(9)(b) and (d). A copy of the Notice of Referral Proceeding and Statement of Charges is attached to this Determination and Order as Appendix 1.

WITNESSES

For the Petitioner:

None.

For the Respondent:

Jonathan M. Ross, M.D., the Respondent

Paul Gerber, M.D.

Ms. Betsy Siebeck

Ms. Marion Pritchard

FINDINGS OF FACT

The following Findings of Fact were made after a review of the entire record in this matter. Numbers below in parentheses refer to exhibits, denoted by the prefix "Ex." These citations refer to evidence found persuasive by the Hearing Committee in arriving at a particular finding. Conflicting evidence, if any, was considered and rejected in favor of the cited evidence. All Hearing Committee findings were unanimous.

1. Jonathan M. Ross, M.D., the Respondent, was authorized to practice medicine in New York State on July 1, 1976, by the issuance of license number 127593 by the New York State Education Department (Petitioner's Ex. 4).

2. On April 7, 2000, the New Hampshire Board of Medicine (hereinafter "the New Hampshire Board") entered a settlement agreement (hereinafter "the New Hampshire agreement") with the Respondent. In the New Hampshire agreement, the Respondent's license to practice medicine was suspended for 24 months, 19 months of the suspension was stayed, conditions on the Respondent's practice of medicine were imposed, and a \$5000.00 fine was levied. The New Hampshire Board took this action against the Respondent because he acted unprofessionally by committing boundary violations with a female patient, [REDACTED], and by providing her with psychiatric care despite his lacking the expertise and ability to do so. (Petitioner's Ex. 5).

3. The boundary violations committed by the Respondent consisted of frequent instances of holding hands with [REDACTED] and hugging her, as well as one instance of kissing her on the forehead (Petitioner's Exhibit 5).

HEARING COMMITTEE CONCLUSIONS

The Hearing Committee concludes that the conduct of the Respondent would constitute professional misconduct under the laws of New York State pursuant to:

- New York State Education Law Section 6530(3) (negligence on more than one occasion);
- New York State Education Law Section 6530(5) (incompetence on more than one occasion);
- New York State Education Law Section 6530(24) (performing professional responsibilities that the Respondent knew or had reason to know he was not competent to perform).

VOTE OF THE HEARING COMMITTEE

FIRST SPECIFICATION

Respondent violated New York Education Law Section 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 upon which the finding was based, would, if committed in New York state, constitute professional misconduct under the laws of New York state.

VOTE: Sustained (3-0)

SECOND SPECIFICATION

Respondent violated New York Education Law Section 6530(9)(d) by reason of having his license suspended or having other 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 suspension or other disciplinary action would, if committed in New York state, constitute professional misconduct under the laws of New York state.

VOTE: Sustained (3-0)

HEARING COMMITTEE DETERMINATION

The record in this case indicates that on April 7, 2000, the Respondent and the New Hampshire Board entered into the New Hampshire agreement. This agreement is the basis for the New York State professional misconduct charges against the Respondent and the findings of professional misconduct in this Determination and Order.

The documentary evidence (Petitioner's Ex. 5) and the testimony of the Respondent and his witness, Dr. Gerber, indicate that the Respondent exercised exceedingly poor judgment in the treatment of one patient and that this problem existed for over two years. On the other hand, the evidence also indicates that the Respondent's medical practice was

otherwise exemplary, that he completely understands and takes responsibility for what he did wrong and that he has made vigorous efforts to ensure that no similar mistake ever happen again. The Respondent voluntarily suspended his practice for 19 months, successfully completed a three-week program addressing the problem at the Menninger Clinic, sought and participates in long-term psychiatric care and is conscientiously complying with the monitoring program imposed by the New Hampshire Board. The testimony of his witnesses as to the high quality of his character, his sense of responsibility, and the medical care he provides was both laudatory and credible.

Given the evidence in the hearing record, the Hearing Committee is of the opinion that the Respondent is not likely to engage in behavior similar to his behavior with [REDACTED]. However, the problems with his treatment of [REDACTED] were serious enough to require that safeguards be imposed for the safety of New York State patients. These safeguards are described in the Order, below. (The Hearing Committee considered the additional sanctions proposed at the hearing by the Petitioner and decided that they would serve no useful purpose.)

ORDER

IT IS HEREBY ORDERED THAT:

1. The Respondent is required either:
 - a. to complete successfully the monitoring program imposed by the New Hampshire agreement, prior to his return to medical practice in New York State, or:
 - b. if the Respondent returns to New York State prior to the completion of the New Hampshire monitoring program with the intention of practicing medicine in New York State, to enter into a monitoring program with terms that are substantially equivalent to those of the New Hampshire monitoring program. The duration of the new monitoring program must equal the uncompleted time in the New Hampshire

monitoring program. Such New York State program must be approved by the Petitioner and must be in place prior to the resumption of the Respondent's practice in New York State.

2. Upon resumption of the Respondent's medical practice in New York State, the Respondent is prohibited from conducting physical examinations of female patients unless another woman is present during the examination.

3. This Order shall be effective upon service on the Respondent or the Respondent's attorney by personal service or by certified or registered mail.

DATED: Yonkers City, New York
April 2, 2001



Richard N. Ashley, M.D.
Chairperson

Kendrick A. Sears, M.D.
Mr. Irving S. Caplan

APPENDIX I

APPENDIX 1

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

IN THE MATTER
OF
JONATHAN M. ROSS, M.D.

NOTICE OF
REFERRAL
PROCEEDING

TO: Jonathan M. Ross, M.D.

[REDACTED]
Jonathan M. Ross, M.D.
Dartmouth Hitchcock Clinic
Lebanon, NH 03756

PLEASE TAKE NOTICE THAT:

An adjudicatory proceeding will be held pursuant to the provisions of N.Y. Pub. Health Law § 230(10)(p) and N.Y. State Admin. Proc. Act Sections 301-307 and 401. The proceeding will be conducted before a committee on professional conduct of the State Board for Professional Medical Conduct (Committee) on the 13th day of December, 2000, at 10:00 in the forenoon of that day at the Hedley Park Place, 5th Floor, 433 River Street, Troy, New York 12180.

At the proceeding, evidence will be received concerning the allegations set forth in the Statement of Charges, which is attached. A stenographic record of the proceeding will be made and the witnesses at the proceeding will be sworn and examined.

You may appear in person at the proceeding and may be represented by counsel. You may produce evidence or sworn testimony on your behalf. Such evidence or sworn testimony shall be strictly limited to evidence and testimony relating to the nature and severity of the penalty to be imposed upon the licensee. Where the charges are based on the conviction of state law crimes in other jurisdictions, evidence may be offered which would show that the conviction would not be a crime in New York State. The Committee also may limit the number of witnesses whose testimony will be received, as well as the length of time any witness will be permitted to testify.



If you intend to present sworn testimony, the number of witnesses an estimate of the time necessary for their direct examination must be submitted to the New York State Department of Health, Division of Legal Affairs, Bureau of Adjudication, Hedley Park Place, 5th Floor, 433 River Street, Troy, New York, ATTENTION: HON. TYRONE BUTLER, DIRECTOR, BUREAU OF ADJUDICATION, (henceforth "Bureau of Adjudication") as well as the Department of Health attorney indicated below, on or before December 4th, 2000.

Pursuant to the provisions of N.Y. Public Health Law §230(10)(p), you shall file a written answer to each of the Charges and Allegations in the Statement of Charges no later than ten days prior to the hearing. Any Charge of Allegation not so answered shall be deemed admitted. You may wish to seek the advice of counsel prior to filing such an answer. The answer shall be filed with the Bureau of Adjudication, at the address indicated above, and a copy shall be forwarded to the attorney for the Department of Health whose name appears below. You may file a brief and affidavits with the Committee. Six copies of all such papers you wish to submit must be filed with the Bureau of Adjudication at the address indicated above on or before December 4th, 2000, and a copy of all papers must be served on the same date on the Department of Health attorney indicated below. Pursuant to Section 301(5) of the State Administrative Procedure Act, the Department, upon reasonable notice, will provide at no charge a qualified interpreter of the deaf to interpret the proceedings to, and the testimony of, any deaf person.

The proceeding may be held whether or not you appear. Please note that requests for adjournments must be made in writing to the Bureau of Adjudication, at the address indicated above, with a copy of the request to the attorney for the Department of Health, whose name appears below, at least five days prior to the scheduled date of the proceeding. Adjournment requests are not routinely granted. Claims of court engagement will require detailed affidavits of actual engagement. Claims of illness will require medical documentation. Failure to obtain an attorney within a reasonable period of time prior to the proceeding will not be grounds for an adjournment.

The Committee will make a written report of its findings, conclusions as to guilt, and a determination. Such determination may be reviewed by the Administrative Review Board for Professional Medical Conduct.

SINCE THESE PROCEEDINGS MAY RESULT IN A DETERMINATION
THAT SUSPENDS OR REVOKES YOUR LICENSE TO PRACTICE
MEDICINE IN NEW YORK STATE AND/OR IMPOSES A FINE FOR
EACH OFFENSE CHARGED, YOU ARE URGED TO OBTAIN AN
ATTORNEY TO REPRESENT YOU IN THIS MATTER.

DATED: Albany, New York

November 20, 2000


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

Inquiries should be addressed to:

Robert Bogan
Associate Counsel
Office of Professional Medical Conduct
433 River Street - Suite 303
Troy, New York 12180
(518) 402-0820

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

IN THE MATTER
OF
JONATHAN M. ROSS, M.D.

STATEMENT
OF
CHARGES

JONATHAN M. ROSS, M.D., the Respondent, was authorized to practice medicine in New York state on July 1, 1976, by the issuance of license number 127593 by the New York State Education Department.

FACTUAL ALLEGATIONS

A. On or about April 7, 2000, the New Hampshire Board of Medicine (hereinafter "New Hampshire Board"), by a Settlement Agreement, (hereinafter "New Hampshire Agreement"), suspended Respondent's license to practice medicine for twenty-four (24) months, all but nineteen (19) months of that suspension were stayed, imposed conditions, and fined him \$5,000.00, based on Respondent's unprofessional treatment and boundary violations with a female patient and continued treatment of that patient despite his lacking the expertise and ability to treat her as a psychiatric patient.

B. The conduct of the 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(3) (negligence on more than one occasion);
2. New York Education Law §6530(5) (incompetence on more than one occasion);
3. New York Education Law §6530(16) (failure to comply with federal, state, or local laws, rules, or regulations);
4. New York Education Law §6530(20) (moral unfitness);

5. New York Education Law §6530(24) (performing professional responsibilities which the Respondent knows or has reason to know that he is not competent to perform); and/or

6. New York Education Law §6530(44) (in the practice of psychiatry, any physical contact of a sexual nature between licensee and patient).

SPECIFICATIONS
FIRST 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 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 Petitioner charges:

1. The facts in paragraphs A and/or B.

SECOND SPECIFICATION

Respondent violated New York Education Law §6530(9)(d) by reason of having his license suspended or having other 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 suspension or other 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 and/or B.

DATED: *November 22*, 2000
Albany, New York



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

EXHIBIT "B"

**Requirements for Closing a Medical Practice
(Following Agreement to Never Register/Never Practice)**

1. Licensee shall immediately cease and desist from engaging in the practice of medicine in New York State, or under Licensee's New York license, in accordance with the terms of the Order. In addition, Licensee shall refrain from providing an opinion as to professional practice or its application and from representing that Licensee is eligible to practice medicine in New York or pursuant to a New York license.
2. Within 5 days of the Order's effective date, Licensee shall deliver Licensee's current biennial registration, if any, to the Office of Professional Medical Conduct (OPMC) at Riverview Center, 150 Broadway, Suite 355, Albany, New York 12204-2719.
3. Within 15 days of the Order's effective date, Licensee shall, with regard to New York practice or practice anywhere pursuant to Licensee's New York license, notify all patients of the cessation of Licensee's medical practice, and shall refer all patients to another licensed practicing physician for continued care, as appropriate. Licensee shall notify, in writing, each health care plan with which the Licensee contracts or is employed, and each hospital where Licensee has privileges, that Licensee has ceased medical practice. Within 45 days of the Order's effective date, Licensee shall provide OPMC with written documentation that all patients and hospitals have been notified of the cessation of Licensee's medical practice.
4. Licensee shall, with regard to New York practice or practice anywhere pursuant to Licensee's New York license, make arrangements for the transfer and maintenance of all patient medical records. Within 30 days of the Order's effective date, Licensee shall notify OPMC of these arrangements, including the name, address, and telephone number of an appropriate and acceptable contact persons who shall have access to these records. Original records shall be retained for at least 6 years after the last date of service rendered to a patient or, in the case of a minor, for at

least 6 years after the last date of service or 3 years after the patient reaches the age of majority, whichever time period is longer. Records shall be maintained in a safe and secure place that is reasonably accessible to former patients. The arrangements shall include provisions to ensure that the information in the record is kept confidential and is available only to authorized persons. When a patient or a patient's representative requests a copy of the patient's medical record, or requests that the original medical record be sent to another health care provider, a copy of the record shall be promptly provided or forwarded at a reasonable cost to the patient (not to exceed 75 cents per page.) Radiographic, sonographic and similar materials shall be provided at cost. A qualified person shall not be denied access to patient information solely because of an inability to pay.

5. In the event that Licensee holds a Drug Enforcement Administration (DEA) certificate for New York State, Licensee shall, within fifteen (15) days of the Order's effective date, advise the DEA, in writing, of the licensure action and shall surrender his/her DEA controlled substance privileges for New York State to the DEA. Licensee shall promptly surrender any unused DEA #222 U.S. Official Order Forms Schedules 1 and 2 for New York State to the DEA. All submissions to the DEA shall be addressed to Diversion Program Manager, New York Field Division, U.S. Drug Enforcement Administration, 99 Tenth Avenue, New York, NY 10011.
6. Within 15 days of the Order's effective date, Licensee shall return any unused New York State official prescription forms to the Bureau of Narcotic Enforcement of the New York State Department of Health. If no other licensee is providing services at Licensee's practice location, Licensee shall properly dispose of all medications.
7. Within 15 days of the Order's effective date, Licensee shall, with regard to New York practice or practice anywhere pursuant to Licensee's New York license, remove from the public domain any representation that Licensee is eligible to practice medicine, including all related signs, advertisements, professional listings (whether in telephone directories, internet or otherwise), professional stationery or billings. Licensee shall not share, occupy, or use office space in which another licensee provides health care services.

8. Licensee shall not, with regard to New York practice or practice anywhere pursuant to Licensee's New York license, charge, receive or share any fee or distribution of dividends for professional services rendered by Licensee or others while Licensee is barred from engaging in the practice of medicine. Licensee may be compensated for the reasonable value of services lawfully rendered, and disbursements incurred on a patient's behalf, prior to the Order's effective date.
9. If Licensee is a shareholder in any professional service corporation organized to engage in the practice of medicine in New York, Licensee shall divest all financial interest in the professional services corporation, in accordance with New York Business Corporation Law. Such divestiture shall occur within 90 days. If Licensee is the sole shareholder in a professional services corporation, the corporation must be dissolved or sold within 90 days of the Order's effective date.
10. Failure to comply with the above directives may result in a civil penalty or criminal penalties as may be authorized by governing law. Under N.Y. Educ. Law § 6512, it is a Class E Felony, punishable by imprisonment of up to 4 years, to practice the profession of medicine when a professional license has been suspended, revoked or annulled. Such punishment is in addition to the penalties for professional misconduct set forth in N.Y. Pub. Health Law § 230-a, which include fines of up to \$10,000 for each specification of charges of which the Licensee is found guilty and may include revocation of a suspended license.