



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

May 5, 1998

**CERTIFIED MAIL - RETURN RECEIPT REQUESTED**

Steven Masef, Esq.  
NYS Department of Health  
5 Penn Plaza - Sixth Floor  
New York, New York 10001

Arnold Bernard Rudominer, M.D.  
2066 Middlefield Way B26  
Mountain View, California 94043

Arnold Bernard Rudominer, M.D.  
5503 White Oak Lane  
Ft. Lauderdale, Florida 33319

Arnold Bernard Rudominer, M.D.  
1935 S.W. 81st Way  
Ft. Lauderdale, Florida 33324-5434

Arnold Bernard Rudominer, M.D.  
420 Cross Keys Office Park  
Fairfield, New York 14450

RECEIVED

MAY 05 1998

OFFICE OF PROFESSIONAL  
MEDICAL CONDUCT

**RE: In the Matter of Arnold Bernard Rudominer, M.D.**

Dear Parties:

Enclosed please find the Determination and Order (No. 98-80) 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required to deliver to the Board of Professional Medical Conduct your license to practice medicine if said license has been revoked, annulled, suspended or surrendered, together with the registration certificate.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,

Handwritten signature of Tyrone T. Butler in black ink.

Tyrone T. Butler, Director  
Bureau of Adjudication

TTB:nm  
Enclosure

COPY

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

-----X  
IN THE MATTER : DETERMINATION  
OF : AND  
ARNOLD BERNARD RUDOMINER, M.D. : ORDER  
-----X

BPMC-98-80

A Notice of Referral Proceeding, dated March 20, 1998 and a Statement of Charges, dated January 21, 1998, were served upon the Respondent, Arnold Bernard Rudominer, M.D. **CHARLOTTE S. BUCHANAN, ESQ. (Chair), FRANK E. IAQUINTA, M.D., and ARTHUR J. SEGAL, M.D.,** 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. **LARRY G. STORCH, ESQ., ADMINISTRATIVE LAW JUDGE,** served as the Administrative Officer. The Department of Health appeared by Steven J. Masef, Esq., Assistant Counsel. The Respondent failed to appear in person and was not represented by counsel. A hearing was held on April 22, 1998. Evidence was received and witnesses sworn and heard and transcripts of these proceedings were made.

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

### STATEMENT OF CASE

This case was brought pursuant to Public Health Law Section 230(10)(p). The statute provides for an expedited hearing where a licensee is charged solely with a violation of Education Law §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 which 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, Respondent is charged with professional misconduct pursuant to Education Law §6530(9)(d) [having disciplinary action taken by the duly authorized professional disciplinary agency of another state where the conduct resulting in the disciplinary action, if committed in New York state, would constitute misconduct under the laws of New York state]. A copy of the Notice of Referral Proceeding and Statement of Charges is attached to this Determination and Order in Appendix I.

Petitioner was unable to personally serve Respondent with the Notice of Referral Proceeding and Statement of Charges. However, substitute service was achieved by mailing the Notice and Charges by certified mail, return receipt requested, to Respondent's last known address.

### FINDINGS OF FACT

The following Findings of Fact were made after a review of the entire record in this matter. Numbers in parentheses refer to transcript page numbers or exhibits. These citations represent 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.

1. Arnold Bernard Rudominer, M.D. (hereinafter, "Respondent"), was authorized to practice medicine in New York State on June 22, 1965 by the issuance of license number 094477 by the New York State Education Department. (Pet. Ex. #2).

2. By a Decision effective July 31, 1997, adopting a stipulation for surrender of licensure in which Respondent agreed that cause existed to impose discipline, the Division of Medical Quality of the State of California (hereinafter the "California Board") accepted the surrender of Respondent's license to practice medicine. The surrender followed the filing of an Accusation alleging that Respondent, a psychiatrist, practiced with gross negligence and/or incompetence in his treatment of Patient B.K. during the period December 1990 to February 1992, and that he was impaired for the practice of medicine by a psychiatric disorder. (Pet. Ex. #3).

### CONCLUSIONS OF LAW

The following conclusions were made pursuant to the Findings of Fact listed above. All conclusions resulted from a unanimous vote of the Hearing Committee unless noted otherwise.

The Committee concluded that the Department has sustained its burden of proof in this matter. The preponderance of the evidence demonstrates that Respondent surrendered his California medical license following the institution of disciplinary action by the California Board. The conduct resulting in the surrender, as set forth in the Accusation, would if committed in New York state, constitute professional misconduct in violation of New York Education Law §6530(4) [gross negligence]; §6530(5) [incompetence on more than one occasion]; §6530(6) [gross incompetence], and §6530(8) [having a psychiatric condition which impairs the licensee's ability to practice the profession]. Accordingly, the Hearing Committee voted to sustain the Specification of professional misconduct set forth in the Statement of Charges.

### DETERMINATION AS TO PENALTY

The Hearing Committee, pursuant to the Findings of Fact and Conclusions of Law set forth above, unanimously determined that Respondent's license to practice medicine in New York State should be revoked. This determination was reached upon due consideration of the full spectrum of penalties available pursuant to statute, including revocation, suspension and/or probation, censure and reprimand, and the imposition of monetary

penalties.

Respondent surrendered his California medical license because he suffers from a mental illness which has impaired his ability to practice medicine safely. He failed to appear at the hearing and presented no evidence which might demonstrate that he is under effective treatment and no longer impaired. Under the circumstances, revocation is the only sanction which will adequately protect the public. If Respondent wishes to regain his New York license, he will have the opportunity to demonstrate that his psychiatric disorder is under effective treatment and that he is no longer impaired for the practice of medicine.



**ORDER**

Based upon the foregoing, **IT IS HEREBY ORDERED THAT:**

1. The Specification of professional misconduct, as set forth in the Statement of Charges (Petitioner's Exhibit # 1) is **SUSTAINED;**

2. Respondent's license to practice medicine in New York State be and hereby is **REVOKED;**

3. This Determination and Order shall be effective upon service. Service shall be either by certified mail upon Respondent at Respondent's last known address and such service shall be effective upon receipt or seven days after mailing by certified mail, whichever is earlier, or by personal service and such service shall be effective upon receipt.

**DATED: Troy, New York**  
*April 30, 1998*

*Charlotte S. Buchanan*  
**CHARLOTTE S. BUCHANAN, ESQ. (CHAIR)**

FRANK E. IAQUINTA, M.D.  
ARTHUR J. SEGAL, M.D.

TO: Steven J. Masef, Esq.  
Assistant Counsel  
New York State Department of Health  
5 Penn Plaza - 6th Floor  
New York, New York 10001

Arnold Bernard Rudominer, M.D.  
2066 Middlefield Way, B26  
Mountain View, California 94043

5503 White Oak Lane  
Ft. Lauderdale, Florida 33319

1935 S.W. 81st Way  
Ft. Lauderdale, Florida 33324-5434

420 Cross Keys Office Park  
Fairfield, New York 14450

**APPENDIX I**

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

IN THE MATTER  
OF  
ARNOLD BERNARD RUDOMINER

NOTICE OF  
SUMMARY  
PROCEEDING

TO: ARNOLD BERNARD RUDOMINER, M.D.  
2066 Middlefield Way, B26  
Mountain View, CA 94043

PLEASE TAKE NOTICE THAT:

An adjudicatory proceeding will be held pursuant to the provisions of N.Y. Pub. Health Law §§230(12) and (10)(p) (McKinney 1990 and Supp. 1998 (as amended by Ch. 627 and 599 of the Laws of 1996)) and N.Y. State Admin. Proc. Act §§301-307 and 401 (McKinney 1984 and Supp. 1998). The proceeding will be conducted before a committee on professional conduct of the State Board for Professional Medical Conduct (Committee) on April 22, 1998, at 10:00 a.m., at the offices of the New York State Department of Health, 5 Penn Plaza, Sixth Floor, New York, New York 10001.

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

(1)

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 and 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, 433 River Street, Fifth Floor South, Troy, NY 12180, ATTENTION: HON. TYRONE BUTLER, DIRECTOR, BUREAU OF ADJUDICATION (Telephone: (518-402-0748), (henceforth "Bureau of Adjudication") as well as the Department of Health attorney indicated below, no later than twenty days prior to the scheduled date of the Referral Proceeding, as indicated above.

Pursuant to the provisions of N.Y. Pub. Health Law §230(10)(c), you shall file a written answer to each of the charges and allegations in the Statement of Charges not less than ten days prior to the date of the hearing. Any charge or allegation not so answered shall be deemed admitted. You may wish to seek the advice of counsel prior to filing such 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 written brief and affidavits with the Committee. Six copies of all papers you submit must be filed with the Bureau of Adjudication at the address indicated above, no later than fourteen days prior to the scheduled date of the Referral Proceeding, and a copy of all papers must be served on the same date on the Department of Health attorney indicated below. Pursuant to §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. Pursuant to the terms of N.Y. State Admin. Proc. Act §401 (McKinney Supp. 1998) and 10 N.Y.C.R.R. §51.8(b), the Petitioner hereby demands disclosure of the evidence that the Respondent intends to introduce at the hearing, including the names of witnesses, a list of and copies of documentary

evidence and a description of physical or other evidence which cannot be photocopied.

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: New York, New York  
March, 20 1998



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ROY NEMERSON  
Deputy Counsel  
Bureau of Professional  
Medical Conduct

**Inquiries should be addressed to:**

**Steven J. Masel  
Assistant Counsel  
NYS Department of Health  
Division of Legal Affairs  
5 Penn Plaza, Suite 601  
New York, New York 10001  
(212) 613-2615**

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

IN THE MATTER  
OF  
ARNOLD BERNARD RUDOMINER, M.D.

STATEMENT  
OF  
CHARGES

ARNOLD BERNARD RUDOMINER, M.D., the Respondent, was authorized to practice medicine in New York State in or about June 22, 1965, by the issuance of license number 094477 by the New York State Education Department.

**FACTUAL ALLEGATIONS**

- A. By Decision effective July 31, 1997, adopting a stipulation for surrender of licensure in which Respondent agreed that cause existed to impose discipline, the Division of Medical Quality of the State of California accepted the surrender of Respondent's license to practice as a physician in the state of California. The surrender followed the filing of an Accusation (attached and incorporated as Appendix I) that Respondent, a psychiatrist, practiced with gross negligence and/or incompetence in his treatment of Patient K.B. during the period December 1990 to February 1992, and that he was impaired for the practice of medicine by his psychiatric disorder, all as is more fully set forth in Appendix I.

(5)



**SPECIFICATION OF CHARGES**

**FIRST SPECIFICATION**  
**HAVING HAD DISCIPLINARY ACTION TAKEN**

Respondent is charged with committing professional misconduct as defined in N.Y. Educ. Law §6530(9)(d)(McKinney Interim Supp. 1997-1998) by having his or her license to practice medicine revoked, suspended or having other disciplinary action taken, where the conduct resulting in the revocation, suspension or other disciplinary action involving the license or refusal, revocation or suspension of an application for a license or the surrender of the license would, if committed in New York state, constitute professional misconduct under the laws of New York state (namely N.Y. Educ. Law §6530(4, 5, 6, and/or 8)) as alleged in the facts of the following:

1. Paragraph A.

DATED: January 21, 1998  
New York, New York

*Roy Nemerson (by wife)*

ROY NEMERSON  
Deputy Counsel  
Bureau of Professional  
Medical Conduct

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1 DANIEL E. BRIDGEMAN, Attorney General  
of the State of California  
2 Susan K. Meadows  
Deputy Attorney General  
3 California Department of Justice  
40 Fremont Suite 300  
4 San Francisco, California 94102-3600  
Telephone: (415) 386-6282  
5  
6 Attorneys for Complainant

7  
8 **BEFORE THE**  
9 **DIVISION OF MEDICAL QUALITY**  
10 **MEDICAL BOARD OF CALIFORNIA**  
11 **DEPARTMENT OF CONSUMER AFFAIRS**  
12 **STATE OF CALIFORNIA**

11 In the Matter of the Accusation )  
Against: )  
12 )  
13 ARNOLD B. RUDOMINER )  
2066 Old Middlefield Way, B26 )  
Mountain View, CA 94043 )  
14 )  
15 Physician & Surgeon's )  
No. G55554 )  
16 Respondent. )

Case No. 03-92-20504

**ACCUSATION**

17  
18 The Complainant alleges:

19 **PARTIES**

- 20 1. Complainant, Ron Joseph, is the Executive Director  
21 of the Medical Board of California (hereinafter the "Board" and  
22 brings this accusation solely in his official capacity.  
23 2. On or about July 29, 1985, physician and surgeon's  
24 certificate No. G55554 was issued by the Board to Arnold B.  
25 Rudominer (hereinafter "respondent"), and at all times relevant  
26 to the charges brought herein, this license has been in full  
27 force and effect. Unless renewed, it will expire on December 31,

2 JURISDICTION

3 3. This accusation is brought before the Division of  
4 Medical Quality of the Medical Board of California, Department of  
5 Consumer Affairs (hereinafter the "Division"), under the  
6 authority of the following sections of the California Business  
7 and Professions Code (hereinafter "Code"):

8 A. Section 2227 of the Code provides that the Board  
9 may revoke, suspend for a period not to exceed one year, or  
10 place on probation, the license of any licensee who has been  
11 found guilty under the Medical Practice Act.

12 B. Section 2234 of the Code provides, in pertinent  
13 part, that unprofessional conduct includes, but is not  
14 limited to, the following:

- 15 (b) Gross negligence.
- 16 (d) Incompetence.

17 C. Section 125.3 of the Code provides, in part, that  
18 the Board may request the administrative law judge to direct  
19 any licentiate found to have committed a violation or  
20 violations of the licensing act, to pay the Board a sum not  
21 to exceed the reasonable costs of the investigation and  
22 enforcement of the case.

23 D. Section 822 of the Code provides, in pertinent  
24 part, that if the Board determines that the licentiate's  
25 ability to practice his or her profession safely is impaired  
26 because the licentiate is mentally ill, or physically ill  
27 affecting competency, the Board may take action by revoking

1 or suspending the licentiate's license, placing the  
2 licentiate on probation, or taking such other action as the  
3 Board in its discretion deems proper.

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FIRST CAUSE FOR DISCIPLINE

(Gross Negligence And/Or Incompetence)

(Patient K.B.)

4. On or about December of 1990, respondent undertook to treat patient B.K.<sup>4</sup> for psychological problems, including depression, anxiety, intermittent binge eating, insomnia, and difficulty getting along with coworkers. B.K. had also been a child victim of incest. Respondent placed B.K. on disability from her job and placed her on antidepressant medication.

5. During the course of therapy, from December of 1990 until approximately February of 1992, respondent attempted to control B.K.'s life. He instructed B.K. to not have any contact with her parents; told her that her parents were evil and that her parents had passed this evil onto her; told her that she was a vehicle of evil; told her that she was toxic; told her to get rid of her cat because the cat was evil; told her that she needed to "surrender"; told her to not see a chiropractor; told her that her soul had an "excess of gold" in it; and, accused her of causing other patients who had eating disorders to lose faith.

6. On or about early February of 1992, respondent was contacted by B.K.'s uncle and advised that B.K.'s father, who

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1. The patient in question is referred to by initials to protect privacy and confidentiality.

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1 resided in Ohio, had died. Respondent told the uncle that he  
2 would tell B.K. that her father was ill and that he would not  
3 tell her that her father had died. Respondent, in fact,  
4 telephoned B.K. and advised her that her father was ill.

5 7. On February 9, 1992, respondent left a telephone  
6 message on B.K.'s answering machine advising her that he was  
7 terminating her therapy and told her not to call him or anyone  
8 for one month. He also told her that she was a vehicle to evil  
9 and a vehicle to hurt people and that he wanted her to pay him  
10 some of the money that she owed to him.

11 8. On or about February 14 or 15 of 1992, respondent  
12 left another telephone message on B.K.'s answering machine.  
13 Respondent told B.K. that his father had been admitted to the  
14 hospital in Florida and described to B.K. his own hurt feelings,  
15 and his own dynamics with his parents. He also told B.K. that he  
16 felt that she was blaming him for her pain and that she needed to  
17 come back to him for therapy and let go of her pride. Respondent  
18 also advised B.K. that he did what was necessary for her,  
19 otherwise she would have ended up in a hospital or would have  
20 died. Respondent also told B.K. that "within nine months" she  
21 could be well.

22 9. Respondent's treatment of B.K. as described in  
23 paragraphs 4 through 8 constitutes gross negligence (an extreme  
24 departure from the standard of practice) and/or incompetence  
25 pursuant to sections 2234(b) and 2234(d) of the Code for the  
26 following reasons that include but are not limited to:

27 1. Respondent attempted to dominate the life and

1 the decisions of the patient in a totally inappropriate manner

2                   2. Respondent accused the patient of being  
3 "evil" and "toxic" in his messages and during therapy,  
4 notwithstanding the fact that such bizarre statements can cause  
5 regression in a patient who presents with B.K.'s history.

6                   3. Respondent failed to maintain therapeutic  
7 boundaries with B.K. by injecting his personal life and feelings  
8 into the therapeutic relationship in an excessive manner;

9                   4. In a telephone message, respondent abandoned  
10 B.K. and told her not to contact him or anyone else for one month  
11 during a time (after her father's death) that she was most likely  
12 to need therapy;

13                   5. Respondent lied to B.K. concerning her  
14 father's death knowing that this patient had trust issues;

15                   6. Respondent made grandiose and unfounded  
16 promises to B.K. by telling her she would be well within nine  
17 months.

18                   Therefore, cause for disciplinary action exists.

19                   **SECOND CAUSE FOR DISCIPLINARY ACTION**

20                   10. The allegations in paragraphs 1 through 9 above  
21 are incorporated herein by reference.

22                   11. On or about November 3, 1993, respondent agreed to  
23 undergo a voluntary psychiatric examination. The psychiatric  
24 examination, which included psychological testing, was concluded  
25 on or about August of 1995. The evaluator concluded that  
26 respondent suffers from an ongoing adjustment disorder and  
27 possesses narcissistic and avoidant traits that interfere with

1 his clinical judgment and affect his ability to effectively  
2 practice psychiatry. The evaluator concluded that, in order for  
3 respondent to be allowed to continue to practice with safety to  
4 the public, respondent should be required to undergo psychiatric  
5 therapy on at least a weekly basis because of the liability that  
6 these traits may again hamper his ability to interact with  
7 patients in a clinically skillful manner.

8 12. Based on the aforementioned evaluation, cause for  
9 disciplinary action is established under Code section 322.

10 **PRAYER**

11 **WHEREFORE**, the complainant requests that a hearing be  
12 held on the matters herein alleged, and that following the  
13 hearing, the Division issue a decision:

- 14 1. Revoking or suspending License Number G55354,  
15 heretofore issued to respondent Arnold B. Rudominer;
- 16 2. Revoking, suspending or denying approval of the  
17 respondent's authority to supervise physician's assistants,  
18 pursuant to Business and Professions Code section 3527;
- 19 3. Ordering respondent to pay the Division the actual  
20 and reasonable costs of the investigation and enforcement of this  
21 case;

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4. Taking such other and further action as the  
Division deems necessary and proper.

DATED: August 16, 1996



Ron Joseph  
Executive Director  
Medical Board of California  
Department of Consumer Affairs  
State of California

Complainant

(13)



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

IN THE MATTER  
OF  
ARNOLD BERNARD RUDOMINER, M.D.

COMMISSIONER'S  
SUMMARY  
ORDER

TO: ARNOLD BERNARD RUDOMINER, M.D.  
2066 Middlefield Way, B26  
Mountain View, CA 94043

The undersigned, Barbara A. DeBuono, M.D., M.P.H., Commissioner of Health of the State of New York, pursuant to N.Y. Public Health Law §230 (McKinney 1990 and Interim Supp. 1997-1998 (as amended by Ch. 627 and 599 of the Laws of 1996)), upon the recommendation of a Committee on Professional Medical Conduct of the State Board for Professional Medical Conduct, has determined that the duly authorized professional disciplinary agency of another jurisdiction has made a finding substantially equivalent to a finding that the practice of medicine by ARNOLD BERNARD RUDOMINER (the Respondent) in that jurisdiction constitutes an imminent danger to the health of its people or that Respondent has been disciplined by such an agency for acts which if committed in this state would have constituted a basis for summary action by the Commissioner pursuant to N.Y. Public Health Law §230(12)(a) (McKinney 1990 and Supp. 1998 (as amended by Ch. 627 and 599 of the Laws of 1996)), as is more fully set forth in the ~~Statement~~ of Charges attached hereto and made a part hereof.


(14)

It is therefore:

**ORDERED**, pursuant to N.Y. Public Health Law §230(12)(b) (McKinney 1990 and Interim Supp. 1997-1998 (as amended by Ch. 627 and 599 of the Laws of 1996)), that effective immediately, Respondent shall not practice medicine in the State of New York. This Order shall remain in effect unless modified or vacated by the Commissioner of Health pursuant to N.Y. Pub. Health Law §230(12) (McKinney 1990 and Interim Supp. 1997-1998 (as amended by Ch. 627 and 599 of the Laws of 1996)).

**PLEASE TAKE NOTICE** that a hearing will be held pursuant to the provisions of N.Y. Pub. Health Law §230 (McKinney 1990 and Interim Supp. 1997-1998 (as amended by Ch. 627 and 599 of the Laws of 1996)), and N.Y. State Admin. Proc. Act §§301-307 and 401 (McKinney 1984 and Interim Supp. 1997-1998). The hearing will be conducted before a committee on professional conduct of the State Board for Professional Medical Conduct on a date and at a location to be set forth in a written Notice of Summary Hearing to be provided to the Respondent either contemporaneously with this Summary Order or subsequently. Said written Notice may be provided in person, by mail, or by other means.

**DATED:** Albany, New York  
January 27, 1998

  
**BARBARA A. DeBUONO, M.D., M.P.H.**  
Commissioner of Health

**Inquiries should be directed to:**

**ROY NEMERSON**  
Deputy Counsel - B.P.M.C.  
N.Y.S. Department of Health  
Division of Legal Affairs  
5 Penn Plaza - Suite 601  
New York, New York 10001  
(212) - 613-2615

(15)

GLOBAL PROCESS SERV. CO. INC.  
291 BROADWAY #1504  
NEW YORK, NY 10007  
212-227-4901  
Attorney For:

NYS DEPT. OF HEALTH  
DIVISION OF LEGAL AFFAIRS - NYC  
PROFESSIONAL MEDICAL CONDUCT

APR 02 1998

Ref. No. 00024357-01

RECEIVED

NEW YORK STATE

Plaintiff: IN THE MATTER OF  
Defendant: RUDUMINER

Case No.

Non-Service Return

I, the undersigned, certify and declare that i am over the age of eighteen years, employed in the County of Los Angeles, State of California, and not a party to or interested in the above entitled cause.

I further certify and declare that I received the within process on 03/24/98 and that after due search and diligent inquiry, I have been unable to effect service of said process on the within named:

ARNOLD BERNARD RUDUMINER, M.D.

Business: 2066 MIDDLEFIELD WAY B26  
MOUNTAIN VIEW, CA 94043

Reason for non-service:

- 03/26/98 02:00pm ATTEMPTED SERVICE AT GIVEN ADDRESS. INCORRECT PLACE FOR SERVICE. THIS IS A PRIVATE P.O. BOX COMPANY WHERE SUBJECT DOES NOT RECEIVE MAIL , PER MANAGER STATED HE DID RECEIVE MAIL HERE UP TO A YEAR AGO FOR SUBJECT. SUBJECT IS AN OLD RETIRED DOCTOR AND IS SUPPOSED TO LIVE IN REDWOOD CITY. SERVER CHECKED THE HAINES, PHONE BOOK AND 411, FOUND NO LISTING FOR SUBJECT.
- 03/27/98 11:00am TRIED GIVEN ADDRESS. THIS IS A PRIVATE P.O. BOX AND DEFENDANT DOES NOT RECEIVE MAIL HERE.
- 03/28/98 02:00pm TRIED GIVEN ADDRESS. THIS IS A PRIVATE P.O. BOX AND DEFENDANT DOES NOT HAVE A BOX HERE.
- 03/30/98 Assignment cancelled per your request, documents are returned unserved.

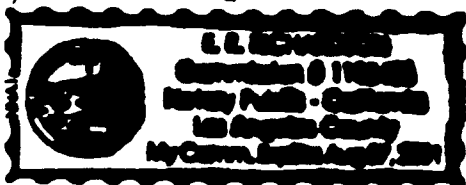
I declare under penalty under the laws of the State of California that the foregoing is true and correct.

Executed on 04/01/98 at SAN JOSE , California

Subscribed and sworn to before me  
04/01/98

*E. R. Richardson*  
NOTARY PUBLIC, State of California  
County of Los Angeles.

*Kyle Thomson*  
KYLE THOMSON  
PROCESS SERVER FOR:  
CALIFORNIA LEGAL SUPPORT SERVICE  
2808 Temple Street Ste. 203  
Los Angeles, California 90026  
(213) 383-5822



16

SJMasef

Z 226 809 590

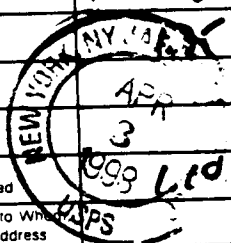


### Receipt for Certified Mail

No Insurance Coverage Provided  
Do not use for International Mail  
(See Reverse)

PS Form 3800, March 1993

Sent to <b>Arnold B. Rudominer, M.D.</b>	
Street and No <b>1935 S.W. 81st Way</b>	
P.O. State and ZIP Code <b>Ft. Lauderdale, FL 33324</b>	
Postage	\$ <b>78</b>
Certified Fee	
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt Showing to Whom & Date Delivered	
Return Receipt Showing to Whom, Date, and Addressee's Address	
TOTAL Postage & Fees	\$ <b>3.23</b>
Postmark or Date	



SJMasef

Z 226 809 588



### Receipt for Certified Mail

No Insurance Coverage Provided  
Do not use for International Mail  
(See Reverse)

PS Form 3800, March 1993

Sent to <b>Arnold B. Rudominer, M.D.</b>	
Street and No <b>5503 White Oak Lane</b>	
P.O. State and ZIP Code <b>Ft. Lauderdale, FL 33319</b>	
Postage	\$ <b>78</b>
Certified Fee	<b>1.35</b>
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt Showing to Whom & Date Delivered	<b>1.10</b>
Return Receipt Showing to Whom, Date, and Addressee's Address	
TOTAL Postage & Fees	\$ <b>3.23</b>
Postmark or Date	

SJMasef

Z 226 809 560



### Receipt for Certified Mail

No Insurance Coverage Provided  
Do not use for International Mail  
(See Reverse)

PS Form 3800, March 1993

Sent to <b>ARNOLD BERNARD RUDOMINER, M.D.</b>	
Street and No <b>2066 Middlefield Way B26</b>	
P.O. State and ZIP Code <b>Mountain View, CA 94043</b>	
Postage	\$ <b>1.01</b>
Certified Fee	<b>1.35</b>
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt Showing to Whom & Date Delivered	<b>1.10</b>
Return Receipt Showing to Whom, Date, and Addressee's Address	
TOTAL Postage & Fees	\$ <b>3.46</b>
Postmark or Date	

**RETURN RECEIPT REQUESTED**

SJMasef

Z 226 809 589

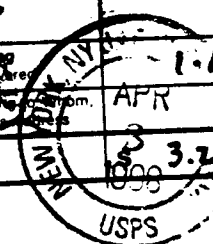


### Receipt for Certified Mail

No Insurance Coverage Provided  
Do not use for International Mail  
(See Reverse)

PS Form 3800, March 1993

Sent to <b>Arnold B. Rudominer, M.D.</b>	
Street and No <b>420 Cross Keys Office Park</b>	
P.O. State and ZIP Code <b>Fairfield, New York 14450</b>	
Postage	\$ <b>78</b>
Certified Fee	<b>1.35</b>
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt Showing to Whom & Date Delivered	<b>1.10</b>
Return Receipt Showing to Whom, Date, and Addressee's Address	
TOTAL Postage & Fees	\$ <b>3.23</b>
Postmark or Date	



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

IN THE MATTER  
OF  
ARNOLD BERNARD RUDOMINER, M.D.

AFFIDAVIT  
OF  
MAILING

STATE OF NEW YORK )  
COUNTY OF NEW YORK ) ss:

1. I, ROBERT MATSON, being duly sworn, declare that I am over eighteen years of age and I am not a party to the above entitled proceeding.
2. I am employed by the New York State Department of Health, Office of Professional Medical Conduct at 5 Penn Plaza, 6th floor, New York, New York 10001, and my duties include the preparation and posting of mail.
3. On April 3, 1998, I mailed a Notice of Summary Proceeding and Statement of Charges in the above-referenced hearing by certified mail to the addresses below:

ARNOLD BERNARD RUDOMINER, M.D.  
2066 Middlefeld Way. B26  
Mountain View, CA 94043

5503 White Oak Lane  
Ft. Lauderdale, FL 33319


1935 S.W. 81st Way  
Ft. Lauderdale, FL 33324-5434

420 Cross Keys Office Park  
Fairfield, N.Y. 14450

4. I mailed the above-mentioned addressed envelope, as Certified Mail at the United States Postal Service facility JAF Station, located at 8th Avenue and 33rd Street, New York, N.Y. 10001 with the postage thereon fully prepaid and I received the attached certificate of mailing.

  
ROBERT MATSON

Sworn to before me on  
this 3 day of April 1998

  
NOTARY PUBLIC

STEVEN J. MASEE  
NOTARY PUBLIC, State of New York  
No. 41-4878748  
Qualified in Queens Co.  
Commission Expires March 11, 1999