



New York State Board for Professional Medical Conduct

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

Barbara A. DeBuono, M.D., M.P.H.
Commissioner of Health

Charles J. Vacanti, M.D.
Chair

November 13, 1995

CERTIFIED MAIL-RETURN RECEIPT REQUESTED

David P. Sachs, M.D.
1001 NW 13th Street
Boca Raton, Florida 33486

RE: License No. 166590

Effective Date: 11/20/95

Dear Dr. Sachs:

Enclosed please find Order #BPMC 95-273 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,

Charles Vacanti, M.D.
Chair
Board for Professional Medical Conduct

Enclosure

cc: David Zarett, Esq.
Garfunkel, Wild & Travis, P.C.
175 Great Neck Road
Great Neck, New York 11021-3324

Dianne Abeloff, Esq.

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

IN THE MATTER
OF
DAVID PAUL SACHS, M.D.

CONSENT
ORDER
BPMC #95-273

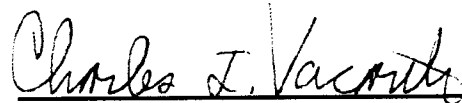
Upon the application of DAVID PAUL SACHS, M.D. (Respondent) for Consent Order, which application is made a part hereof, it is

ORDERED, that the application and the provisions thereof are hereby adopted and so ORDERED, and it is further

ORDERED, that this order shall take effect as of the date of the personal service of this order upon Respondent, upon receipt by Respondent of this order via certified mail, or seven days after mailing of this order by certified mail, whichever is earliest.

SO ORDERED.

DATED: 2 November 1995



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

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

**IN THE MATTER
OF
DAVID PAUL SACHS, M.D.**

**APPLICATION
FOR
CONSENT ORDER**

STATE OF FLORIDA)
COUNTY OF) ss.:

DAVID PAUL SACHS, M.D., being duly sworn, deposes and says:

That on or about July 1, 1986, I was licensed to practice as a physician in the State of New York, having been issued License No. 166590 by the New York State Education Department.

My current address is 1001 NW 13th Street, Boca Raton, Florida, and I will advise the Director of the Office of Professional Medical Conduct of any change of my address.

I understand that the New York State Board for Professional Medical Conduct has charged me with one specification of professional misconduct.

A copy of the Statement of Charges is annexed hereto, made a part hereof, and marked as Exhibit "A".

I admit guilt to the specification, in full satisfaction of the charges against me. I hereby agree to the penalty of a censure and reprimand and a one year period of probation, the terms of which are made a part hereof, and marked as Exhibit "B".

I hereby make this Application to the State Board for Professional Medical Conduct (the Board) and request that it be granted.

I understand that, in the event that this Application is not granted by the Board, 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 Board shall be made without prejudice to the continuance of any disciplinary proceeding and the final determination by the Board pursuant to the provisions of the Public Health Law.

I agree that, in the event the Board grants my Application, as set forth herein, an order of the Chairperson of the Board shall be issued in accordance with same.

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

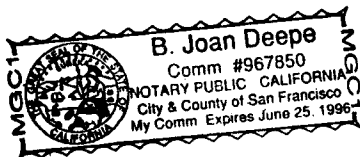
David P. Sachs, M.D.

DAVID PAUL SACHS, M.D.
RESPONDENT

Sworn to before me this

11th day of October, 1995

B. Joan Deepe
NOTARY PUBLIC



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

IN THE MATTER
OF
DAVID PAUL SACHS, M.D.

APPLICATION
FOR
CONSENT ORDER

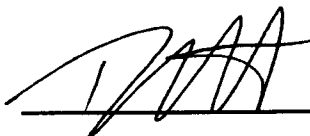
The undersigned agree to the attached application of the Respondent and to the proposed penalty based on the terms and conditions thereof.

DATE: 10/19/95



DAVID PAUL SACHS, M.D.
Respondent

DATE: 10/20/95



DAVID ZARETT, ESQ.
Attorney for Respondent

DATE: 10/25/95



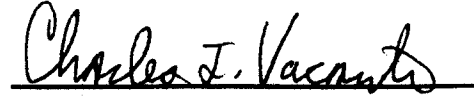
DIANNE ABELOFF
Associate Counsel
Bureau of Professional
Medical Conduct

DATE: Oct. 30, 1995



KATHLEEN M. TANNER
Director
Office of Professional Medical
Conduct

DATE: 2 November 1995



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

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

**IN THE MATTER
OF
DAVID PAUL SACHS, M.D.**

**STATEMENT
OF
CHARGES**

DAVID PAUL SACHS, M.D., the Respondent, was authorized to practice medicine in New York State on or about July 1, 1986, by the issuance of license number 166590 by the New York State Education Department.

FACTUAL ALLEGATION

- A. On or about February 15, 1995, the Florida Board of Medicine fined Respondent \$5,000 and issued a Letter of Concern based upon Respondent's statement that he neither admitted nor denied erroneously performing a twist drill craniostomy on the wrong side of a patient's brain.

SPECIFICATION

HAVING HAD DISCIPLINARY ACTION TAKEN

Respondent is charged with committing professional misconduct as defined in N.Y. Educ. Law §6530(9)(d)(McKinney Supp. 1995) by having his or her license to practice medicine revoked, suspended or having other disciplinary action taken, or having his or her application for a license refused, revoked or suspended or having voluntarily or otherwise surrendered his or her license after a disciplinary action was instituted by a duly authorized professional disciplinary agency of another state, 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)) as alleged in the facts of the following:

1. Paragraph A.

DATED: July , 1995
New York, New York

ROY NEMERSON
Deputy Counsel
Bureau of Professional
Medical Conduct

EXHIBIT "B"

TERMS OF PROBATION

- 1. DAVID PAUL SACHS, M.D., during the period of probation, shall conduct himself in all ways in a manner befitting his professional status, and shall conform fully to the moral and professional standards of conduct imposed by law and by his profession;**
- 2. Respondent shall submit written notification to the New York State Department of Health (NYSDOH), addressed to the Director, Office of Professional Medical Conduct, New York State Department of Health, Corning Tower Building, 4th Floor, Empire State Plaza, Albany, New York 12237 of any employment and practice, of Respondent's residence and telephone number, and of any change in Respondent's employment, practice, residence, or telephone number within or without the State of New York;**
- 3. Respondent shall submit written proof from the Division of Professional Licensing Services (DPLS), New York State Education Department (NYSED), that Respondent has paid all registration fees due and owing to the NYSED and Respondent shall cooperate with and submit whatever papers are requested by DPLS in regard to said registration fees, said proof from DPLS to be submitted by Respondent to the New York State Department of Health, addressed to the Director, Office of Professional Medical Conduct, as aforesaid, within the first three months of the period of probation;**
- 4. Respondent shall submit written proof to the NYSDOH, addressed to the Director, Office of Professional Medical Conduct, as aforesaid, that 1) Respondent is currently registered with the NYSED, unless Respondent submits written proof that Respondent has advised DPLS, NYSED, that Respondent is not engaging in the practice of Respondent's profession in the State of New York and does not desire to register, and that 2) Respondent has paid any fines which may have previously been imposed upon Respondent by the Board or by the Board of Regents; said proof of the above to be submitted no later than the first two months of the period of probation;**
- 5. Respondent shall comply with all terms, conditions, restrictions, and penalties to which he is subject pursuant to the order of the Board and shall assume and bear all costs related to compliance with the Terms of Probation;**
- 6. So long as there is full compliance with every term herein set forth, Respondent may continue to practice his aforementioned profession in accordance with the terms of probation; provided, however, that upon receipt of evidence of noncompliance with, or any violation of these terms, the Director of the Office of Professional Medical Conduct and/or the Board may initiate a violation of probation proceeding and/or such other proceeding against Respondent as may be authorized pursuant to the Public Health Law.**