



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

Elizabeth Stein, M.D.
7320 North Brookview Way
Scottsdale, Arizona 85253

RE: License No. 106859

Dear Dr. Stein:

Effective Date: 11/20/95

Enclosed please find Order #BPMC 95-272 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: Richard W. Abbuhl, Esq.
300 North Central-Suite 1800
Phoenix, Arizona 85012

David Smith, Esq.

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

IN THE MATTER
OF
ELIZABETH STEIN, M.D.

SURRENDER
ORDER
BPMC #95-272

Upon the Application of ELIZABETH STEIN, M.D., (Respondent) to Surrender his/her license as a physician in the State of New York, which application is made a part hereof, it is

ORDERED, that the application 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 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 via certified mail, whichever is earliest.

SO ORDERED.

DATED: 6 November 1995

Charles J. Vacanti

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
ELIZABETH STEIN, M.D.

APPLICATION TO
SURRENDER
LICENSE

STATE OF ARIZONA)
COUNTY OF) ss.:

ELIZABETH STEIN, M.D., being duly sworn, deposes and says:

That in or about 1970, I was licensed to practice medicine as a physician in the State of New York having been issued License No. 106859 by the New York State Education Department.

My current address is 7320 Brookview Way, Scottsdale, Arizona 85253.

I understand that I have been charged with one Specification of professional misconduct as set forth in the Statement of Charges, annexed hereto, made a part hereof, and marked as Exhibit "A".

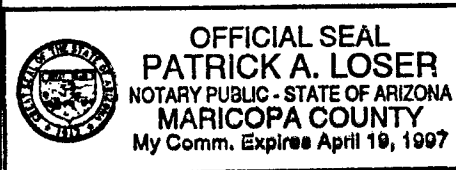
I hereby assert that I cannot successfully defend against such Specification and apply to the State Board for Professional Medical Conduct for permission to surrender my license as a physician in the State of New York.

I understand that, in the event that the application 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 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 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 Board grants my application, an order shall be issued striking my name from the roster of physicians in the State of New York without further notice to me.

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



Elizabeth Stein, M.D.

ELIZABETH STEIN, M.D.
Respondent

Sworn to before me this
30 day of October, 1995

Patrick A. Loser
NOTARY PUBLIC

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

IN THE MATTER
OF
ELIZABETH STEIN, M.D.

APPLICATION TO
SURRENDER
LICENSE

The undersigned agree to the attached application of the Respondent to
surrender his license.

Date: 10/30, 1995

Elizabeth Stein, M.D.

ELIZABETH STEIN, M.D.
Respondent

Date: 10-18, 1995

Richard W. Abbuhl

RICHARD W. ABBUHL, Esq.
Attorney for Respondent

Date: October 31, 1995

David W. Smith

DAVID W. SMITH
Associate Counsel
Bureau of Professional
Medical Conduct

Date: Nov. 2, 1995



KATHLEEN M. TANNER
Director
Office of Professional Medical Conduct

Date: 6 November, 1995



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

EXHIBIT "A"

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

**IN THE MATTER
OF
ELIZABETH STEIN, M.D.**

**STATEMENT
OF
CHARGES**

ELIZABETH STEIN, M.D., the Respondent, was authorized to practice medicine in New York State in or about 1970 by the issuance of license number 106859 by the New York State Education Department.

FACTUAL ALLEGATIONS

- A. On or about July 22, 1993, the Arizona Board of Medical Examiners (ABME) found that Respondent had mismanaged four (4) anesthesiology cases in violation of Arizona Revised Statutes §§32-1401(21)(q) (conduct or practice which might be harmful to the health of the patient) and 32-1401(21)(11) (conduct which ABME considers to be either gross negligence, repeated negligence, or negligence resulting in harm or death to the patient). ABME suspended the medical license of Respondent for one (1) year and ordered her to successfully complete a 6-month mini-residency in an anesthesiology program approved by the ABME.**
- 1. Such conduct by Respondent would constitute professional misconduct as set forth in §6530(3) of the N.Y. Educ. Law (Practicing the profession with negligence on more than one occasion) and/or §6530(4)(Practicing the profession with gross negligence on a particular occasion).**

2. Respondent refused to attend the mini-residency and requested that her license become "inactive. On January 10, 1995 she was granted such status and is no longer licensed in the State of Arizona.

SPECIFICATION OF CHARGES

FIRST SPECIFICATION

HAVING BEEN FOUND GUILTY OF PROFESSIONAL MISCONDUCT

Respondent is charged with committing professional misconduct as defined in N.Y. Educ. Law §6530(9)(b)(McKinney Supp. 1995) 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, namely, N.Y. Educ. Law §§6530(3) and (4), as alleged in the facts of the following:

1. Paragraphs A and A1-2.

DATED: October 1995
New York, New York

ROY NEMERSON
Deputy Counsel
Bureau of Professional
Medical Conduct