



New York State Board for Professional Medical Conduct

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

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

Patrick F. Carone, M.D., M.P.H.
Chair
Ansel R. Marks, M.D., J.D.
Executive Secretary

June 20, 1997

CERTIFIED MAIL-RETURN RECEIPT REQUESTED

Seymour Stoll, M.D.
523 North Maple Drive
Beverly Hills, California 90210

RE: License No. 140178

Dear Dr. Stoll:

Enclosed please find Order #BPMC 97-147 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
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: Hermes Fernandez, Esq.
Bond, Schoeneck & King, LLP
111 Washington Avenue
Albany, New York 12210-2211

Bradley C. Mohr, Esq.

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

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IN THE MATTER : CONSENT
OF : AGREEMENT
SEYMOUR STOLL , M.D. : AND ORDER
: BPMC # 97-147

-----X

SEYMOUR STOLL, M.D., says:

On or about October 5, 1979, I was licensed to practice as a physician in the State of New York, having been issued license number 140178 by the New York State Education Department.

My current address is 523 North Maple Drive, Beverly Hills, CA, 90210 and I will advise the Director of the Office of Professional Medical Conduct of any change of my address.

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 assert that I cannot successfully defend against the First Specification, insofar as it addresses the facts of Allegations 1 and 3 of the Statement of Charges.

I hereby agree to the penalty of Censure and Reprimand.

I agree that in the event that I am charged with professional misconduct in the future, this agreement and order shall be admitted into evidence in that proceeding.

I agree that, as a condition of this Order, I will maintain

current registration of my license with the New York State Education Department, Division of Professional Licensing Services, and pay all registration fees. This condition will remain in effect except during periods of actual suspension, if any, imposed by this Order. This condition shall be in effect beginning thirty days after the effective date of this Order and will continue until the full term of the Order has run, and until any associated period of probation and all probation terms have been completed and satisfied. I understand that any failure by me to comply with this condition shall constitute misconduct as defined by New York State Education Law §6530(29).

I understand that, in the event that the Board does not grant this application, 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.

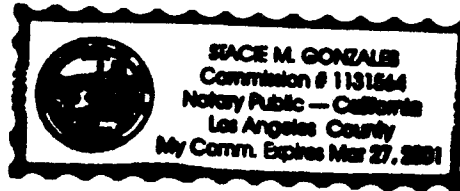
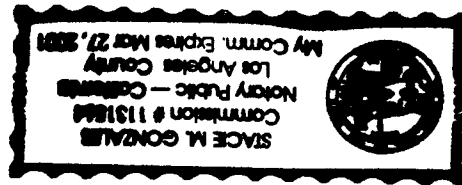
I agree that, in the event the State Board for Professional Medical Conduct grants my application, an order of the Chairperson of the Board shall be issued in accordance with same.

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

Seymour Stoll, M.D.
SEYMOUR STOLL, M.D.
RESPONDENT

Subscribed before me this
9th day of June, 1997.

Stacie M. Gonzales
NOTARY PUBLIC



AGREED TO:

DATE: June 10, 1997

Bradley Mohr
BRADLEY MOHR
ASSISTANT COUNSEL
Bureau of Professional
Medical Conduct

DATE: June 16, 1997

Anne F. Saile
ANNE F. SAILE
DIRECTOR
Office of Professional
Medical Conduct

ORDER

Upon the proposed agreement of SEYMOUR STOLL, M.D.
(Respondent) for Consent Order, 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; 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.

DATED: June 17, 1997



PATRICK F. CARONE, M.D., M.P.H.
Chair
State Board for Professional
Medical Conduct

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

-----X

IN THE MATTER : STATEMENT
OF : OF
SEYMOUR STOLL, M.D. : CHARGES

-----X

SEYMOUR STOLL, M.D., the Respondent, was authorized to practice medicine in New York State on October 5, 1979 by the issuance of license number 140178 by the New York State Education Department. The Respondent is currently registered with the New York State Education Department to practice medicine.

FACTUAL ALLEGATIONS

1. On or about August 27, 1996, by Agreement in adjudicatory case No. 17-94-36165, Respondent was disciplined by the State of California, Division of Medical Quality, Medical Board, Department of Consumer Affairs. The State of California, Medical Board's Agreement with Respondent required him to: take and pass an oral clinical examination in bariatric medicine; enroll in and complete a course in prescribing practices and ethics; and pay costs of \$2500 and receive a public letter of reprimand.

2. Respondent was charged by the Medical Board of California in Accusation No. 17-94-3616, dated August 10, 1995, with prescribing a schedule III controlled substance to a patient for weight reduction in an amount and frequency which was excessive in the treatment of the patient and which could cause or

perpetuate addiction to the drug and for failure to obtain a history or perform an adequate physical examination; provide a written plan for weight reduction; conduct on-going liver and thyroid function tests; recognize the hypertensive effect of the medication causing an elevation of the patient's already overtly high blood pressure; advise the patient of the potential abuse and dependence on these drugs; monitor and document behavior modifications; and warn the patient of tolerance to the anorectic effect of the drugs developing within a few weeks. The conduct which Respondent was charged involved the treatment of a patient over a period of 11 years and 1 month.

3. The conduct resulting in the discipline imposed by the the State of California, Division of Medical Quality, Medical Board, Department of Consumer Affairs would, if committed in New York State, constitute professional misconduct under New York Education Law, namely §6530(3) (practicing the profession with negligence on more than one occasion) and/or New York Education Law §6530(16) (failure to comply with substantial provisions of state law governing the practice of medicine).

SPECIFICATIONS OF MISCONDUCT

FIRST SPECIFICATION


DISCIPLINARY ACTION BY ANOTHER STATE

Respondent is charged with professional misconduct within the meaning of New York Education Law § 6530(9)(d) in that he had disciplinary action taken against his license 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:

1. The facts of paragraphs 1, 2 and/or 3.

DATED: May 6, 1997
Albany, New York


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



New York State Board for Professional Medical Conduct

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

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

Patrick F. Carone, M.D., M.P.H.
Chair
Ansel R. Marks, M.D., J.D.
Executive Secretary

June 23, 1997

CERTIFIED MAIL-RETURN RECEIPT REQUESTED

Mary Scharf, M.D.
c/o Patty Gotts
33 1/3 Pembroke Road
Route 37
Danbury, Connecticut 06811

RE: License No. 146028

Dear Dr. Scharf:

Enclosed please find Order #BPMC 97-149 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
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: Jude Brearton Mulvey, Esq.

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

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IN THE MATTER : SURRENDER
OF : ORDER
MARY SCHARF, M.D. : BPMC # 97-149

-----X

MARY SCHARF, M.D., says:

On or about May 15, 1981, I was licensed to practice medicine as a physician in the State of New York having been issued License No. 146028 by the New York State Education Department.

My current address is 33 1/3 Pembroke Road, Route 37, Danbury, Connecticut 0^{6 MS}5811 and I will advise the Director of the Office of Professional Medical Conduct of any change of my address.

I am not currently registered with the New York State Education Department to practice as a physician in the State of New York.

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 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 one specification set forth in the Statement of Charges (Exhibit A).

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

Mary Scharf Mc
MARY SCHARF, M.D.
Respondent

Subscribed before me this
2nd day of June, 1997

Patricia M. Gatts
NOTARY PUBLIC
Patricia M. Gatts
My term expires August 31, 1997

AGREED TO:

Date: _____, 1997

Esq.
Attorney for Respondent

Date: June 6, 1997

Jude Brearton Mulvey
JUDE BREARTON MULVEY
Assistant Counsel
Bureau of Professional
Medical Conduct

Date: June 15, 1997

Anne F. Saile
ANNE F. SAILE
Director, Office of
Professional Medical Conduct

ORDER

Upon the proposed agreement of MARY SCHARF, M.D., to
Surrender ^{her md} ~~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 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.

DATED: June 17 1997

Patrick F. Carone, M.D.

PATRICK F. CARONE, M.D., M.P.H.
Chair
State Board for Professional
Medical Conduct

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

-----X

IN THE MATTER : STATEMENT
OF : OF
MARY SCHARF, M.D. : CHARGES

-----X

MARY SCHARF, M.D., the Respondent, was authorized to practice medicine in New York State on May 15, 1981 by the issuance of license number 146028 by the New York State Education Department.

FACTUAL ALLEGATIONS

1. The Virginia Board of Medicine, by Order entered June 6, 1996, determined that Respondent, during the approximate period of January 1993 through July 1994 engaged in unprofessional conduct by engaging in the illegal distribution of controlled substances in violation of Virginia Code 54.1-2917.

2. More specifically, on or about May 1996 in the matter of United States v. Scharf (United States District Court, Western District of Virginia), Respondent entered a plea of guilty to ten felony counts of distribution of Schedule II controlled substances [Percocet and Tylox] outside the scope of professional practice and one felony count of conspiracy to distribute controlled substances outside the scope of professional practice in violation of 21 USC §§ 846 and 841 (b) (1) (C).

EXHIBIT A

3. The Virginia Board revoked Respondent's license to practice medicine by Order entered June 6, 1996.

4. The conduct underlying the Virginia Board's finding that Respondent was guilty of unprofessional conduct would, if committed in New York State, constitute professional misconduct under N.Y. Education Law §6530 (9) (ii) [federal criminal conviction] (McKinney Supp. 1997).

FIRST SPECIFICATION

Respondent is charged with professional misconduct under N.Y. Education Law §6530(9) (a) (ii) (McKinney Supp. 1997) by having been convicted of committing an act constituting a crime under federal law, in that Petitioner charges:

1. The facts contained in paragraphs 1,2,3 and/or 4.

SECOND SPECIFICATION

Respondent is charged with professional misconduct under N.Y. Education Law §6530(9) (b) (McKinney Supp. 1997) 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 misconduct under the laws of New York State, in that
Petitioner charges:

2. The facts contained in paragraphs 1, 2, 3 and/or 4.

DATED: *June 6*, 1997
Albany, New York

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