



Board for Professional Medical Conduct

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

Mark R. Chassin, M.D., M.P.P., M.P.H.
Commissioner

C. Maynard Guest, M.D.
Executive Secretary

October 4, 1993

CERTIFIED MAIL-RETURN RECEIPT REQUESTED

James F. Thomas, M.D.
3310 Central Avenue -M-2238
Hot Springs, Arkansas 71913

RE: License No. 102539
Effective Date: 10/11/93

Dear Dr. Thomas:

Enclosed please find Order #BPMC 93-153 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,

C. Maynard Guest, M.D.
Executive Secretary
Board for Professional Medical Conduct

Enclosure

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

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IN THE MATTER :
OF : ORDER
JAMES F. THOMAS, M.D. : BPMC 93-153

-----X

Upon the Application of JAMES F. THOMAS, M.D.
(Respondent) to Surrender his or 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 Respondent shall not apply for the
restoration of Respondent's license until at least one year has
elapsed from the effective date of this order; 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 via certified mail, whichever is
earliest.

SO ORDERED,

DATED: 1 October 1993

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

I am applying to the State Board for Professional Medical Conduct for permission to surrender my license as a physician in the State of New York on the grounds that I admit guilt to the Second Specification of professional misconduct set forth in the Statement of Charges.


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

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 State Board for Professional Medical Conduct grants my application, an order shall be issued

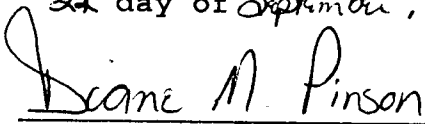
striking my name from the roster of physicians in the State of New York without further notice to me.

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



JAMES F. THOMAS, M.D.
Respondent

Sworn to before me this
~~22~~ day of ~~September~~, 1993



NOTARY PUBLIC

My Commission Expires: 1-1-2002

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

IN THE MATTER


OF

JAMES F. THOMAS, M.D.

: APPLICATION TO
:
: SURRENDER
:
: LICENSE
:

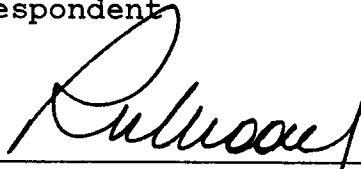
The undersigned agree to the attached application of the
Respondent to surrender his license.

Date: Sept. 22, 1993




JAMES F. THOMAS, M.D.
Respondent

Date: Sept 24, 1993



RICHARD N. MOORE, ESQ.
Attorney for Respondent

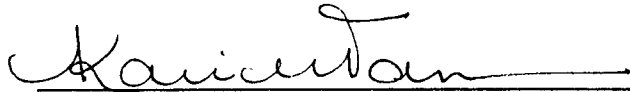
Date: Sept. 27, 1993



KEVIN P. DONOVAN
Assistant Counsel
Bureau of Professional
Medical Conduct

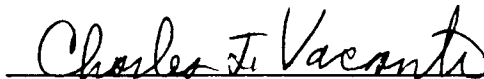
JAMES F. THOMAS, M.D.

Date: Sept. 30, 1993



KATHLEEN M. TANNER
Director, Office of Professional
Medical Conduct

Date: 1 October 1993



CHARLES J. VACANTI, M.D.
Chairperson, 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
JAMES F. THOMAS, JR., M.D. : CHARGES

-----X

JAMES F. THOMAS, JR., M.D. the Respondent, was authorized to practice medicine in New York State on September 17, 1968, by the issuance of license number 102539. The Respondent is not currently registered with the New York State Education Department to practice medicine in New York State. His last known address is 3310 Central Avenue M2238, Hot Springs, Arkansas 71913.

FACTUAL ALLEGATIONS

A. By Plea Statement signed November 29, 1990, Respondent pled guilty in the Circuit Court of Pulaski County, Arkansas, to the crime of sexual abuse in the first degree, by having sexual contact with a person not his spouse and less than fourteen years old, a violation of Arkansas statute 5-14-108; on May 2, 1991, Respondent was sentenced for said offense to 10 years of imprisonment, with 3 years suspended.

B. The crime of which Respondent was convicted in Arkansas would have, if committed, in New York State, constituted a crime under New York State law, namely sexual abuse in the second degree, see N.Y. Penal Law §130.60 (McKinney 1987).

C. By order dated February 15, 1991, Respondent voluntarily surrendered his license to practice medicine in Arkansas unto the Arkansas State Medical Board, based on the finding of the Arkansas State Medical Board that Respondent had violated the Medical Practices Act, Arkansas Code Annotated §17-93-409(1) in that he had been convicted of a felony.

D. The conduct resulting in the voluntary surrender of Respondent's license would, if committed in New York State, constitute professional misconduct under the laws of New York State, namely being convicted of committing an act constituting a crime within the meaning of New York State law as defined in Education Law §6530(9)(a)(i) (McKinney Supp. 1993).

FIRST SPECIFICATION

The Respondent is charged with professional misconduct within the meaning of New York Education Law §6530(9)(a)(iii) (McKinney Supp. 1993) in that he was convicted of committing an act constituting a crime under the law of another jurisdiction which, if committed within the State, would have constituted a crime under New York State Law, in that Petitioner charges:

1. The facts of paragraphs A and B.

SECOND SPECIFICATION

The Respondent is charged with professional misconduct within the meaning of New York Education Law §6530(9)(d) (McKinney Supp. 1993) in that he voluntarily surrendered his license after disciplinary action was instituted by a duly authorized professional disciplinary agency of another state, where the conduct resulting in the surrender of his license would, if committed in New York State, constitute professional misconduct under the laws of New York State, in that Petitioner charges:

2. The facts of paragraphs A, B, C, and D.

DATED: Albany, New York

August 27, 1993

Peter D. Van Buren

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