



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

C. Maynard Guest, M.D.
Executive Secretary

February 12, 1993

CERTIFIED MAIL-RETURN RECEIPT REQUESTED

Angelita Topacio, M.D.
301 Coldbrook Road
Timonium, MD 21093

RE: License No. 111623
Effective Date: 2/19/93

Dear Dr. Topacio:

Enclosed please find Order #BPMC 93-21 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 12237-0614

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
ANGELITA TOPACIO, M.D. : BPMC 93-21

-----X

Upon the Application of ANGELITA TOPACIO, M.D. (Respondent) to Surrender 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: 9 February 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 do not contest the Specifications of professional misconduct set forth in the charges.

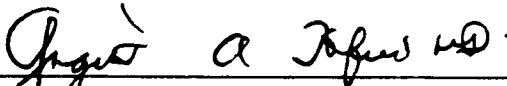
I hereby make this application to the State Board for Professional Medical Conduct and request that it be granted.

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.



ANGELITA TOPACIO, M.D.
Respondent

Sworn to before me this
4 day of *January*, 1993



NOTARY PUBLIC

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

IN THE MATTER

OF

ANGELITA TOPACIO, M.D.

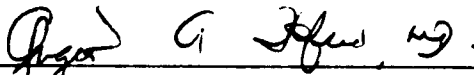
: APPLICATION TO

: SURRENDER

: LICENSE

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

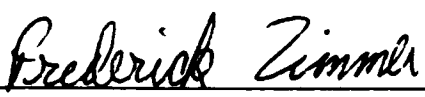
Date: 1-4, 1993


ANGELITA TOPACIO, M.D.
Respondent

Date: 1-5, 1993


ALBERT FIGINSKI, ESQ.
Attorney for Respondent

Date: January 8, 1993


FREDERICK ZIMMER
Assistant Counsel
Bureau of Professional
Medical Conduct

Date: Feb 10, 1993


KATHLEEN M. TANNER
Director, Office of Professional
Medical Conduct

Date: 9 February 1993

Charles J. Vacanti

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
ANGELITA TOPACIO, M.D. : CHARGES

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ANGELITA TOPACIO, M.D., the Respondent, was authorized to practice medicine in New York State on January 25, 1972 by the issuance of license number 111623 by the New York State Education Department. The Respondent was last registered with the New York State Education Department to practice medicine during the year of 1975 with a last registration address of 3501 St. Paul Street, Apt. 832, Baltimore, Maryland 21218.

FACTUAL ALLEGATIONS

A. The Commission on Medical Discipline of Maryland, the duly authorized professional disciplinary agency of Maryland during all times relevant to Factual Allegations A, A.1 and A.2 herein, by Findings of Fact, Conclusion of Law and Order dated April 10, 1984, found Respondent guilty of violating Section 14-504(6) of the Maryland Medical Practice Act, Health Occupations Article, Maryland Code Annotated (1981) in that she pled guilty to a crime involving moral turpitude.

EXHIBIT A

1. The conduct underlying this finding included Respondent's intentional submission to the Maryland Medical Assistance Program (Medicaid) of false invoices for consultation services allegedly provided to recipients rather than for routine services which she had in fact provided to them. The Commission suspended Respondent's license to practice medicine, stayed the suspension and placed Respondent on probation with the provision that she could apply for reinstatement in two years upon meeting certain terms and conditions.

2. The conduct upon which the Maryland Commission found Respondent guilty would, if committed in New York State, constitute professional misconduct under N.Y. Educ. Law Section 6530 (2) (McKinney's Supp. 1992) [practicing the profession fraudulently], and/or N.Y. Educ. Law Section 6530 (20) (McKinney's Supp. 1992) [conduct in the practice of medicine which evidences moral unfitness to practice medicine], and/or N.Y. Educ. Law Section 6530 (21) (McKinney's Supp. 1992) [willfully making or filing a false report].

B. The Maryland State Board of Physician Quality Assurance, the duly authorized professional disciplinary agency of Maryland at all times relevant to Factual Allegations B, B.1

and B.2 herein, by a Consent Order dated November 6, 1989, found Respondent guilty of violating a term of probation contained in the Maryland Commission's Findings of Fact, Conclusion of Law and Order dated April 10, 1984 (see "A" and "A.1" above). Specifically, Respondent violated her probation by failing to practice fully in accordance with those standards expected of a competent practitioner of medicine in the State of Maryland.

1. The conduct underlying the Board's findings included a guilty plea by Respondent in Baltimore City Circuit Court to knowingly and willfully prescribing drugs in violation of the standards of her profession relating to controlled dangerous substances due to her failure to maintain a proper Maryland Controlled Dangerous Substances Registration, in violation of Article 27, Section 288(c), Annotated Code of Maryland. The Maryland Board placed Respondent on a year's probation with the provision that she could apply for reinstatement upon meeting certain criteria set by the Board.
2. The conduct upon which the Maryland Board found Respondent guilty would if committed in New York State, constitute professional misconduct under N.Y. Educ. Law, Section 6530 (16) (McKinney's Supp. 1992)

[a willful failure to comply with provisions of state laws].

FIRST AND SECOND SPECIFICATIONS

Respondent is charged with professional misconduct under N.Y. Educ. Law § 6530 (9)(b) (McKinney's Supp. 1992) [formerly N.Y. Educ. Law §6509 (5)(b)] in that Respondent has 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, in that Petitioner charges:

1. The facts in paragraphs A and A.1 and A.2.
2. The facts in paragraphs B and B.1 and B.2.

THIRD AND FOURTH SPECIFICATIONS

Respondent is charged with professional misconduct under N.Y. Educ. Law § 6530 (9)(d) (McKinney's Supp. 1992) [formerly N.Y. Educ. Law § 6509 (5)(d)] by reason of her having had her license to practice medicine suspended or having had other disciplinary action taken where the conduct resulting in the suspension or other disciplinary action involving the

license would, if committed in New York State, constitute professional misconduct under the laws of New York State, in that Petitioner charges:

1. The facts in paragraph A and A.1 and A.2.
2. The facts in paragraph B and B.1 and B.2.

DATED: Albany, New York
November 23, 1992



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