



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

June 12, 1996

CERTIFIED MAIL-RETURN RECEIPT REQUESTED

Roger Philip Thorne, M.D.
10666 N. Torrey Pines Road
La Jolla, California 92037

RE: License No. 130313

Dear Dr. Thorne:

Effective Date: 06/19/96

Enclosed please find Order #BPMC 96-143 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: Jean Bresler, Esq.

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

IN THE MATTER
OF
ROGER PHILIP THORNE, M.D.

CONSENT
ORDER
BPMC #96-143

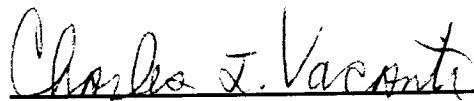
Upon the application of ROGER PHILIP THORNE, M.D. (Respondent) for Consent Order, which application is made a part hereof, it is

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: 7 June 1996



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
ROGER PHILIP THORNE, M.D.

APPLICATION
FOR
CONSENT ORDER

STATE OF CALIFORNIA)
COUNTY OF SAN Diego) ss.:

ROGER PHILIP THORNE, M.D., being duly sworn, deposes and says:

That on or about March 15, 1977, I was licensed to practice as a physician in the State of New York, having been issued License No. 130313 by the New York State Education Department.

My current address is 10666 N. Torrey Pines Road, La Jolla, Ca. 92037, 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 two specifications of professional misconduct.

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

I agree not to contest the First and Second specification of professional misconduct, in full satisfaction of the charges against me. I hereby agree to surrender my license to practice medicine in the State of New York.

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. In consideration of the value to me of the acceptance by the Board of this Application, allowing me to resolve this matter without the various risks and burdens of a hearing on the merits, I knowingly waive any right I may have to contest the Consent Order for which I hereby apply, whether administratively or judicially, and ask that the Application be granted.

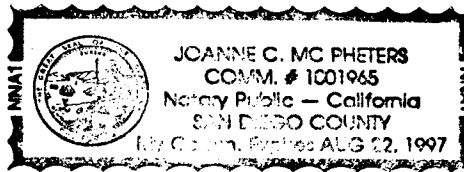


ROGER PHILIP THORNE, M.D.
RESPONDENT

Sworn to before me this

22nd day of May, 1996

Joanne C. McPheters
NOTARY PUBLIC



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

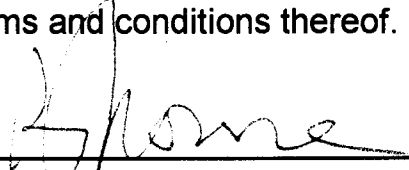
IN THE MATTER
OF
ROGER PHILIP THORNE, M.D.

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:

5/28/96



ROGER PHILIP THORNE, M.D.
Respondent


DATE:

~~June 5, 1996~~

Attorney for Respondent ESQ.

DATE:

June 3, 1996


JEAN BRESLER
Associate Counsel
Bureau of Professional
Medical Conduct

DATE:

June 5 1996

Anne Saile

ANNE F. SAILE
Acting Director
Office of Professional Medical
Conduct

DATE:

7 June 1996

Charles J. Vacanti

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

IN THE MATTER
OF
ROGER PHILIP THORNE, M.D.

STATEMENT
OF
CHARGES

ROGER PHILIP THORNE, M.D., the Respondent, was authorized to practice medicine in New York State on or about 1977, by the issuance of license number 130313 by the New York State Education Department.

FACTUAL ALLEGATIONS

- A. On about August 12, 1994, the respondent was charged by the Medical Board of California with being convicted of felony drunk driving. Specifically on June 7, 1994, Respondent pled guilty to drunk driving with great bodily injury to more than one person in violation of California Vehicle Code sections 23153(b) and section 23206.1 in conjunction with penal code section 1192.7(c)(8).
1. On or about April 11, 1995, the Respondent entered into a stipulation with the California Board whereby he admitted to each allegation in the accusation which was incorporated by reference into the stipulation.
 2. The California medical board issued an order revoking Dr Thorne's physician's license and his physician's assistant supervisor license. Said revocation was stayed and he was placed on three (3) years probation which included among other

requirements random body fluid testing, participation in a treatment program, community service, cost recovery of \$2,000, interviews and quarterly reports to the California Medical Board.

- B. On or about May 17, 1994 the Respondent was charged in California, by Felony complaint. In Count One, with driving under the influence of alcohol and causing injury in violation of California Vehicle Code section 23153(a), 21658(a), 22107, 22348(a), 22350 and 23103. Specifically, Respondent drove a motor vehicle with a blood alcohol content of .2 and more and caused great bodily injury to two victims.
1. Pursuant to Count Two Respondent was charged with willfully and knowingly having a blood of 0.08 percent and more, driving a vehicle, and in so doing committing an act forbidden by law to wit: VC 21658(a), VC 22107 VC 22348, VC 22350 and VC 23103, and neglected a duty imposed by law which proximately caused bodily injury to another in violation of California Vehicle Code section 23153(b). It was further alleged that Respondent in fact had a blood alcohol content of 0.2 percent and more within the meaning of Calif. Vehicle code section 23206.1. Count Two further alleged that the Respondent while driving in California inflicted great bodily injury upon two persons.
 2. On or about June 7, 1994 the Respondent entered a felony guilty plea to count two of the felony complaint, specifically driving a motor vehicle with a blood alcohol level in excess of .20 and causing injury to two victims.

SPECIFICATION OF CHARGES

FIRST SPECIFICATION

HAVING BEEN FOUND GUILTY OF PROFESSIONAL MISCONDUCT

Respondent is charged with committing professional misconduct as defined by N.Y. Educ. Law §6530(9)(b)(McKinney Supp. 1996) by having been found guilty of professional misconduct by a duly authorized professional disciplinary agency of another state when the conduct upon which the finding was based would, if committed in New York State, constitute misconduct under the laws of New York State (specifically: N.Y. Educ. Law §6530[9][a][iii]) as alleged in:

1. Paragraphs A, A1-A2.

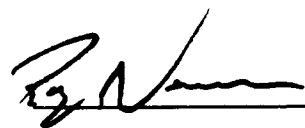
SECOND SPECIFICATION

CRIMINAL CONVICTION ANOTHER JURISDICTION

Respondent is charged with committing professional misconduct as defined in N.Y. Educ. Law §6530(9)(a)(iii)(McKinney Supp. 1996) by having been found guilty of a crime under the law of another jurisdiction and which, if committed in this state, would have constituted a crime under New York law (specifically: N.Y. Penal Law §120.03 vehicular assault in the second degree, a class E felony) as alleged in:

2. Paragraph B, B1-B2.

DATED: March 18, 1996
New York, New York



ROY NEMERSON
Deputy Counsel
Bureau of Professional
Medical Conduct