



Board for Professional Medical Conduct

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

October 5, 1992

C. Maynard Guest, M.D.
Executive Secretary

CERTIFIED MAIL-RETURN RECEIPT REQUESTED

Rocco P. Urella, M.D.
6712 Crossways Plaza
Louisville, Kentucky 40232

RE: License No. 146242
Effective Date 10/12/92

Dear Dr. Urella:

Enclosed please find Order #BPMC 92-78 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

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

-----X
IN THE MATTER :
OF : ORDER
ROCCO P. URELLA, M.D. : BPMC 92-78
-----X

Upon the Application of ROCCO P. URELLA, M.D. to
Surrender his 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 1992

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

IN THE MATTER
OF
ROCCO P. URELLA, M.D.

: APPLICATION TO
:
: SURRENDER
:
: LICENSE
:

STATE OF KENTUCKY)
COUNTY OF JEFFERSON) ss.:

ROCCO P. URELLA, M.D., being duly sworn, deposes and says:

On or about June 12, 1981, I was licensed to practice as a physician in the State of New York having been issued License No. 146242 by the New York State Education Department.

I am not currently registered to practice as a physician in the State of New York; I was last registered for the period ending December 31, 1988, from 2705 Sunnybrook Lane, Ardmore, Pennsylvania. I reside at 6712 Crossways Plaza, Louisville, Kentucky.

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

ROCCO P. URELLA, M.D.

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 agree not to contest the specifications of professional misconduct set forth in the charges. (See letter appended hereto and marked as Exhibit "B").

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.

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

IN THE MATTER
OF
ROCCO P. URELLA, M.D.

: APPLICATION TO
:
: SURRENDER
:
: LICENSE
:

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

Date: Aug. 12, 1992

Rocco P Urella, M.D.
ROCCO P. URELLA, M.D.
Respondent

Date: AUGUST 17, 1992

Peter Cooley
PETER W. COOLEY, ESQ.
Attorney for Respondent

Date: August 31, 1992

Silvia P. Finkelstein
SILVIA P. FINKELSTEIN
Associate Counsel
Bureau of Professional
Medical Conduct

ROCCO P. URELLA, M.D.

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.


ROCCO P. URELLA, M.D.
Respondent

Sworn to before me this
12th day of August, 1992


NOTARY PUBLIC

My Commission Expires 3/4/96.

ROCCO P. URELLA, M.D.

Date: Oct. 2, 1992

Kathleen M. Tanner

KATHLEEN M. TANNER
Director, Office of Professional
Medical Conduct

Date: 1 October, 1992

Charles J. Vacanti

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

Exhibit A

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

IN THE MATTER	:	STATEMENT
OF	:	OF
ROCCO P. URELLA, M.D.	:	CHARGES

ROCCO P. URELLA, M.D., the Respondent, was authorized to practice medicine in New York State on June 12, 1981 by the issuance of license number 146242 by the New York State Education Department. The Respondent is not currently registered to practice medicine in the State of New York; he was last registered for the period ending December 31, 1988, from 2705 Sunnybrook Lane, Ardmore, Pennsylvania. Respondent resides at 6712 Crossways Plaza, Louisville, Kentucky.

FACTUAL ALLEGATIONS

A. Respondent, an anesthesiologist and critical care physician, rendered medical care to Patient A. at locations unknown to Petitioner, between on or about December 27, 1983 and March 27, 1985. (Patients are identified in the annexed Appendix A).

1. Although Respondent knew that Patient A had a history of substance abuse was a habitual user of controlled substances,

EXHIBIT A

on numerous occasions between on or about December 27, 1983 and March 27, 1985, Respondent prescribed and/or furnished controlled substances to Patient A, including but not limited to: Valium, Tuinal, Phenobarbital, Tennate Dospan, Placidyl, and Amyl Nitrate, and Talbutal and furnished Patient A with blank, pre-signed, prescriptions. (Prescriptions are detailed in the annexed Appendix B). These prescriptions were not medically indicated and were not part of an appropriate treatment plan.

2. On or about March 27, 1985, while alone in her house with Respondent, Patient A collapsed from an overdose of drugs, Respondent telephoned members of her immediate family but failed to summon emergency assistance.
3. On or about March 27, 1985, Respondent treated Patient A's condition by immersing her in cold water and attempting to intubate the Patient with rubber tubing from a stethoscope.
4. For a period of approximately three hours, Respondent failed to call for emergency medical assistance and failed to adequately administer basic life support to Patient A.

5. When Patient A's family members arrived at the scene she was pale and cold, her lips were cyanotic, and her pupils were fixed and dilated. There were no pulse or respirations.

Respondent insisted that Patient A was fine and breathing on her own. He continued to refuse to call for emergency assistance.

6. Patient A's sister called for assistance and within minutes a paramedic arrived. Respondent tried to prevent the paramedic from assisting Patient A. Once the rest of the rescue team arrived at the scene they were able to remove Respondent and begin resuscitation. Patient A was taken to Brookhaven Memorial Hospital Medical Center, 101 Hospital Road, Patchogue, New York 11772, where resuscitation was unsuccessful. Autopsy and toxicological examinations disclosed that Patient A died from Talbutal intoxication.

B. Respondent, rendered medical care to Patients B through G, at locations unknown to Petitioner. Respondent issued prescriptions for Methaqualone (Quaalude), a controlled substance, as indicated below, that were not medically indicated and were not part of an appropriate treatment plan. Respondent, inappropriately prescribed for the patients as detailed below during the periods noted:

1. From on or about March 8, 1982 through on or about March 3, 1983 for Patient B. (Prescriptions are detailed in the annexed Appendix B).
2. From on or about September 2, 1982 through on or about March 28, 1984 for Patient C. (Prescriptions are detailed in the annexed Appendix B).
3. From on or about September 2, 1982 through on or about March 27, 1984 for Patient D. (Prescriptions are detailed in the annexed Appendix B).
4. From on or about December 2, 1982 through on or about December 2, 1983, Patient E. (Prescriptions are detailed in the annexed Appendix B).
5. From on or about November 29, 1982 through on or about October 19, 1983, Patient F. (Prescriptions are detailed in the annexed Appendix B).
6. From on or about March 25, 1982 through on or about November 21, 1983 for Patient G. (Prescriptions are detailed in the annexed Appendix B).

C. Respondent rendered medical care to Patients A through G, at locations unknown to Petitioner, between on or about December 27, 1983 and March 27, 1985.

1. Respondent failed to maintain records for Patients A through G which accurately reflect the evaluation and treatment of these patients, each of whom received prescriptions for controlled substances from Respondent.

SPECIFICATION OF CHARGES

FIRST SPECIFICATION

GROSS NEGLIGENCE

Respondent is charged with professional misconduct within the meaning of N.Y. Educ. Law section 6530(4), (McKinney Supp. 1992), by practicing the profession with gross negligence, in that Petitioner charges:

1. The facts in Paragraphs A, A1, A2, A3, A4, A5, A6, C, and C1, with respect to Respondent's care of Patient A.

SECOND THROUGH EIGHTH SPECIFICATIONS

NEGLIGENCE ON MORE THAN ONE OCCASION

Respondent is charged with professional misconduct within the meaning of N.Y. Educ. Law section 6530(3), (McKinney Supp. 1992), in that he practiced the profession with negligence on more than one occasion, specifically, Petitioner charges two or more of the following:

2. The facts in Paragraphs A, A1, C and C1, with respect to Patient A.
3. The facts in Paragraphs B, B1, C, and C1, with respect to Patient B.
4. The facts in Paragraphs B, B2, C, and C1, with respect to Patient C.
5. The facts in Paragraphs B, B3, C, and C1, with respect to Patient D.
6. The facts in Paragraphs B, B4, C, and C1, with respect to Patient E.
7. The facts in Paragraphs B, B5, C, and C1, with respect to Patient F.
8. The facts in Paragraphs B, B6, C, and C1, with respect to Patient G.

NINTH THROUGH FIFTEENTH SPECIFICATIONS

ORDERING TREATMENT NOT WARRANTED
BY THE CONDITION OF THE PATIENT

Respondent is charged with professional misconduct within the meaning of N.Y. Educ. Law section 6530(35), (McKinney Supp. 1992), by ordering excessive treatment or use of treatment facilities not warranted by the condition of the patient, in that Petitioner charges:

9. The facts in Paragraphs A, A1, C and C1, with respect to Patient A.
10. The facts in Paragraphs A, B, B1, C and C1, with respect to Patient B.
11. The facts in Paragraphs B, B2, C, and C1, with respect to Patient C.
12. The facts in Paragraphs B, B3, C, and C1, with respect to Patient D.
13. The facts in Paragraphs B, B4, C, and C1, with respect to Patient E.
14. The facts in Paragraphs B, B5 C, and C1, with respect to Patient F.
15. The facts in Paragraphs B, B6, C, and C1, with respect to Patient G.

SIXTEENTH SPECIFICATION

**ABANDONING OR NEGLECTING A PATIENT
IN NEED OF IMMEDIATE PROFESSIONAL CARE**

Respondent is charged with professional misconduct within the meaning of N.Y. Educ. Law section 6530(30), (McKinney Supp. 1992), by abandoning or neglecting a patient in need of immediate professional care without making reasonable arrangements for the continuation of such care, in that Petitioner charges:

16. The facts in Paragraphs A, A1, A2, A3, A4, A5, A6, C, and C1, with respect to Respondent's care of Patient A.

SEVENTEENTH SPECIFICATION

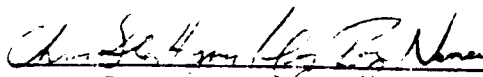
FAILURE TO MAINTAIN ACCURATE RECORDS

Respondent is charged with professional misconduct within the meaning of N.Y. Educ. Law section 6530(32), (McKinney Supp. 1992), by failing to maintain a record for each patient which accurately reflects the evaluation and treatment of the patient, in that Petitioner charges:

17. The facts in Paragraphs A, C, and C1 with respect to Patient A. The facts in Paragraphs B, C, and C1, with respect to Patients B, C, D, E, F, and G.

DATED: New York, New York

8/10/92



Chris Stern Hyman
Counsel
Bureau of Professional Medical
Conduct

APPENDIX B

<u>PATIENT</u>	<u>DRUG</u>	<u>WRITTEN</u>	<u>NUMBER</u>
Patient A	Tuinal 200mg	1/29/82	Rx# B4120066
Patient A	Tuinal 200mg	5/20/82	Rx# B4240858
Patient A	Methaqualone	6/23/83	Rx# C0624078
Patient A	Tuinal 200mg (#30)	12/27/83	Rx# C1224325
Patient A	Valium tabs 10mg (#90)	9/10/84	
Patient A	Valium tabs 10mg (#90)	11/20/84	
Patient A	Valium tabs 10mg (#90)	12/21/84	
Patient A	Phenobarbital 15mg (#60)	Undated	Refill x 5 times
Patient A	Phenobarbital 30mg (#30)	Undated	Refill x 5 times
Patient A	Tennate Dospan 75mg (#30)	Undated	Refill x 5 times
Patient A	Placidyl caps 750mg (#30)	Undated	Refill x 5 times
Patient A	Valium tabs 10mg (#90)	Undated	Refill x 5 times
Patient A	Amyl Nitrate 3doz. (#36)	Undated	
Patient A	Valium tabs 10mg (#90)	Undated	Refill x 5 times
Patient A	Valium tabs 10mg (#90)	Undated	Refill x 5 times
Patient A	Valium tabs 10mg (#90)	Undated	
Patient A	Valium tabs 10mg (#90)	Undated	
Patient B	Methaqualone tabs 300mg (#45)	3/8/82	Rx# B4163090
Patient B	Methaqualone tabs 300mg (#45)	11/18/82	Rx# B4465265
Patient B	Methaqualone tabs 300mg (#45)	12/29/82	Rx# B4465270
Patient B	Methaqualone tabs 300mg (#45)	1/29/83	Rx# B4465286
Patient B	Methaqualone tabs 300mg (#45)	3/3/83	Rx# B4465296
Patient C	Methaqualone tabs 300mg (#45)	9/2/82	Rx# B4465226
Patient C	Methaqualone tabs 300mg (#45)	6/10/83	Rx# C0624117
Patient C	Methaqualone tabs 300mg (#45)	8/1/83	Rx# C0817719
Patient C	Methaqualone tabs 300mg (#45)	12/1/83	Rx# C1057121
Patient C	Methaqualone tabs 300mg (#45)	12/25/83	Rx# C1146992
Patient C	Methaqualone tabs 300mg (#45)	3/28/84	Rx# C1407321
Patient D	Methaqualone tabs 300mg (#45)	9/2/82	Rx# B4465227
Patient D	Methaqualone 300mg tabs (#45)	1/13/83	Rx# B4465275
Patient D	Methaqualone 300mg tabs (#45)	5/12/83	Rx# C0557080
Patient D	Methaqualone 300mg tabs (#45)	5/28/83	Rx# C0624103
Patient D	Methaqualone 300mg tabs (#45)	7/25/83	Rx# C0817712

Patient D	Methaqualone 300mg tabs (#45)	12/1/83	Rx# C1146977
Patient D	Methaqualone 300mg tabs (#45)	3/27/84	Rx# C1407319
Patient E	Methaqualone 300mg tabs (#45)	12/2/82 (F)	Rx# B4465264
Patient E	Methaqualone 300mg tabs (#45)	4/29/82	Rx# B4240830
Patient E	Methaqualone 300mg tabs (#45)	6/24/82	Rx# B4240891
Patient E	Methaqualone 300mg tabs (#45)	8/5/82	Rx# B4465215
Patient E	Methaqualone 300mg tabs (#45)	9/23/82	Rx# B4465240
Patient E	Methaqualone 300mg tabs (#45)	1/13/83	Rx# B4465278
Patient E	Methaqualone 300mg tabs (#45)	3/3/83	Rx# B4465297
Patient E	Methaqualone 300mg tabs (#45)	5/19/83	Rx# C0557087
Patient E	Methaqualone 300mg tabs (#45)	6/29/83	Rx# C0624083
Patient E	Methaqualone 300mg tabs (#45)	10/19/83	Rx# C1057101
Patient E	Methaqualone 300mg tabs (#45)	12/2/83	Rx C1146978
Patient F	Methaqualone 300mg tabs (#45)	11/29/82	Rx# B4465261
Patient F	Methaqualone 300mg tabs (#45)	6/3/82	Rx# B4240875
Patient F	Methaqualone 300mg tabs (#45)	7/8/82	Rx# B4240893
Patient F	Methaqualone 300mg tabs (#45)	8/12/82	Rx# B4465214
Patient F	Methaqualone 300mg tabs (#45)	9/23/82	Rx# B4465241
Patient F	Methaqualone 300mg tabs (#45)	10/28/82	Rx# B4465249
Patient F	Methaqualone 300mg tabs (#45)	12/30/82	Rx# B4465272
Patient F	Methaqualone 300mg tabs (#45)	1/30/83	Rx# B4465287
Patient F	Methaqualone 300mg tabs (#45)	3/3/83	Rx# B4465294
Patient F	Methaqualone 300mg tabs (#45)	5/19/83	Rx# C0557085
Patient F	Methaqualone 300mg tabs (#45)	6/20/83	Rx# C0624112
Patient F	Methaqualone 300mg tabs (#45)	10/19/83	Rx# C1057102
Patient G	Methaqualone 300mg tabs (#45)	3/25/82	Rx# B4240701
Patient G	Methaqualone 300mg tabs (#45)	4/29/82	Rx# B4240827
Patient G	Methaqualone 300mg tabs (#45)	6/3/82	Rx# B4240874
Patient G	Methaqualone 300mg tabs (#45)	7. 2/82	Rx#B4240890
Patient G	Methaqualone 300mg tabs (#45)	8/12/82	Rx# B4465213
Patient G	Methaqualone 300mg tabs (#45)	9/23/82	Rx# B4465237
Patient G	Methaqualone 300mg tabs (#45)	10/28/82	Rx# B4465248
Patient G	Methaqualone 300mg tabs (#45)	11/29/82	Rx# B4465260
Patient G	Methaqualone 300mg tabs (#45)	12/29/82	Rx# B4465271
Patient G	Methaqualone 300mg tabs (#45)	1/29/83	Rx# B4465285
Patient G	Methaqualone 300mg tabs (#45)	3/3/83	Rx# B4465295
Patient G	Methaqualone 300mg tabs (#45)	5/19/83	Rx# C0557084
Patient G	Methaqualone 300mg tabs (#45)	6/20/83	Rx# C0624161
Patient G	Methaqualone 300mg tabs (#45)	10/19/83	Rx# C1057103
Patient G	Methaqualone 300mg tabs (#45)	11/21/83	Rx# C1057106

Manufactured by
JULIUS BLUMBERG, INC.
NYC 10013

**STATEMENT OF ROCCO P. URELLA, M.D.
CONCERNING VOLUNTARY SURRENDER OF NEW YORK LICENSE**

I have agreed to voluntarily surrender my New York license to practice medicine, rather than contest the charges brought by the State Board for Professional Medical Conduct, because of the following combination of factors.

First, I have not lived in New York or maintained a practice in the state since 1984. My registration expired on December 31, 1988, and I have not had occasion to consider reactivating my New York license since first relocating to Pennsylvania and then Louisville, Kentucky, where I now live and practice. I am currently licensed in Pennsylvania, Kentucky, Ohio and Indiana, and have no immediate plans to return to New York.

Second, because I now live in Kentucky, preparing for and attending a formal hearing on the charges in New York would be a considerable inconvenience. I am unwilling to take time off from my job to contest the allegations in light of the fact that I do not presently need a New York license.

Third, the cost of defending the charges is prohibitive. I would need to retain an attorney from New York to review my entire file, investigate the alleged misconduct which occurred in the early and mid-1980's, and represent me at the hearing. I would also have to bear the expenses of travel and lodging in New York, both to prepare for and to attend the hearing. Again, because I do not currently need my New York license, I am reluctant to undertake this financial burden.

EXHIBIT B

Fourth, because of the passage of time, I would have difficulty disproving some of the charges, especially those relating to prescriptions for controlled substances I issued to the seven patients named in the complaint for the period from 1982 to 1984, despite the fact that it is well documented that I had four prescription books stolen from my office during this time frame and that one patient, who was also my nurse, kept such books and my signature stamp at her house.

I also feel that because of the lingering animosity held by certain members of the deceased patient's family towards me, that the Board would feel compelled to compromise its decision in some respect regarding the charges that I failed to do everything possible to save her life. This is a realistic concern that has influenced my decision.

Most importantly, I do not want to put myself and the family of the deceased through the pain of resurrecting the events leading up to her tragic death on March 27, 1985. I was a very close friend of hers and know in my heart that I did all that was humanly possible to keep her alive. It would be too painful for everyone involved to have to go through that traumatic day again over seven years later.

I have agreed to plead no contest to the charges for all of these reasons. I want to make clear that in doing so I am not admitting fault in any manner. By pleading nolo contendere, I am only saying to the Board that I do not wish to fight the charges; I am making no admission of wrongdoing. I have chosen not to defend against these allegations to avoid the pain of reliving one

of the saddest days of my life and the substantial inconvenience and expense of attending a formal hearing in New York.

In these circumstances, agreeing to voluntarily surrender my New York license, with the understanding that I can reapply after one year, seems to be a fair and sensible resolution of this matter. I want to put these allegations behind me and continue on with my life.

ROCCO P. URELLA, M.D.

Dated: August 17, 1992