



**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

May 20, 1996

**CERTIFIED MAIL-RETURN RECEIPT REQUESTED**

Hasan Turgut, M.D.  
141 Mahar Avenue  
Clifton, New Jersey 07011-1913

RE: License No. 168033

Dear Dr. Turgut:

Effective Date: 05/27/96

Enclosed please find Order #BPMC 96-119 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: Nathaniel F. Bedford, Esq.  
716 Main Street, Suite 201  
Boonton, New Jersey 07005

Timothy J. Mahar, Esq.

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

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IN THE MATTER :  
OF : ORDER  
HASAN TURGUT, M.D. : BPMC #96-119

-----x

Upon the application of HASAN TURGUT, 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: 20 May 1996

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  
: APPLICATION  
IN THE MATTER :  
OF : FOR  
HASAN TURGUT, M.D. : CONSENT  
: ORDER  
-----X

STATE OF NEW JERSEY )  
 ) ss.:  
COUNTY OF ESSEX )

HASAN TURGUT, M.D., being duly sworn, deposes and says:  
I am licensed to practice as a physician in the State of New York, having been issued License No. 168033 by the New York State Education Department.  
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 plead no contest to the allegations and two Specifications of professional misconduct contained in the Statement of Charges (Exhibit A).  
I hereby agree to the following penalty:

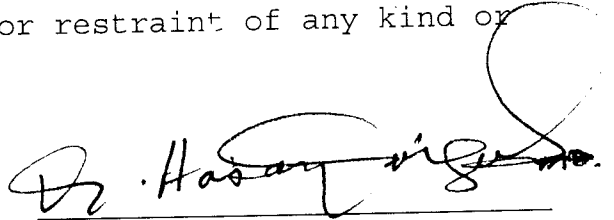
- (1) The suspension of my New York medical license until such time as all restrictions placed on my New Jersey medical license by the September 28, 1993 order of the New Jersey Medical Board are removed. I shall be required to provide to the Director of the Office of Professional Medical Conduct a written rescission of said restrictions from the New Jersey Medical Board.
  
- (2) Following the completion of my suspension and upon written notification to the Director of the Office of Professional Medical Conduct that I am actively engaged in the practice of medicine in New York, I shall serve a three year probation in accordance with the terms set forth in Appendix B hereto.

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.



Hasan Turgut, M.D.  
RESPONDENT

Sworn to before me this

13<sup>th</sup> day of July, 1996.

Connie M. Walsh  
NOTARY PUBLIC

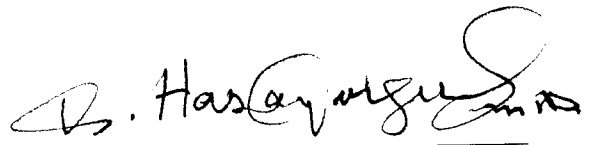
CONNIE M. WALSH  
NOTARY PUBLIC OF NEW JERSEY  
My Commission Expires Feb. 16, 2000

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

-----X  
: APPLICATION  
IN THE MATTER :  
OF : FOR  
HASAN TURGUT, M.D. : CONSENT  
: ORDER  
-----X

The undersigned agree to the attached application of the Respondent and to the proposed penalty based on the terms and conditions thereof.

DATE: 5/13/1996




HASAN TURGUT, M.D.  
Respondent

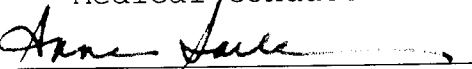
DATE: May 13, 1996

  
NATHANIEL F. BEDFORD, ESQ.  
Attorney for Respondent

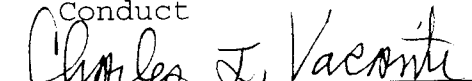
DATE: May 9, 1996

  
TIMOTHY J. MAHAR  
ASSISTANT COUNSEL  
Bureau of Professional  
Medical Conduct

DATE: May 16, 1996

  
ANNE F. SAILE  
ACTING DIRECTOR  
Office of Professional Medical  
Conduct

DATE: 20 May 1996

  
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  
HASAN TURGUT, M.D. : CHARGES

-----X

HASAN TURGUT, M.D., the Respondent, was authorized to practice medicine in New York State on October 8, 1986, by the issuance of license number 168033 by the New York State Education Department.

**FACTUAL ALLEGATIONS**

1. On or about December 27, 1991, the Arizona Board of Medical Examiners (Arizona Board), pursuant to a request by Respondent to cancel his Arizona medical license, imposed discipline upon Respondent by accepting his request to cancel his medical license in the State of Arizona.

2. The conduct underlying the Arizona Board's imposition of discipline upon Respondent consisted of, among other things, Respondent's failure to sit for a competency examination, i.e., SPEX examination, as ordered by the Arizona Board following an investigation of Respondent's ability to safely engage in the practice of medicine.

3. On or about September 28, 1993, the New Jersey State Board of Medical Examiners (New Jersey Board) pursuant to a consent order entered into by Respondent, imposed the following discipline upon Respondent:

- a. Required Respondent to attend an education evaluation program administered by the Medical & Chirurgical Faculty of Maryland.
- b. Prohibited Respondent from engaging in the solo and independent practice of medicine or surgery in the State of New Jersey until approval was given by the New Jersey Board.

4. The conduct underlying the New Jersey Board's imposition of discipline upon Respondent consisted of, among other things, the action taken by the Arizona Board accepting Respondent's request to cancel his Arizona medical license, and a finding by the New Jersey Board that Respondent required evaluation of his medical competence prior to engaging in the private practice of medicine in an unsupervised setting.

5. On or about August 16, 1995, the Composite State Board of Medical Examiners for the State of Georgia (Georgia Board) following an administrative hearing, found Respondent guilty of professional misconduct, and more particularly found that Respondent displayed an inability to practice medicine with reasonable skill and safety to the public.



6. The conduct underlying the Georgia Board's findings of professional misconduct included the following:

- a. The Arizona Board's acceptance of Respondent's request to cancel his Arizona medical license and his failure to sit for a competency examination as ordered by the Arizona Board.
- b. The limitations placed on Respondent's medical license by the New Jersey Board by the consent order dated September 28, 1993.
- c. The finding of the Medical & Chirurgical Faculty of Maryland, Physician Rehabilitation Committee, on April 27, 1994, that Respondent's fund of knowledge as it applies to the practice of primary care medicine is grossly deficient and its conclusion that Respondent does not possess the skill and knowledge to deliver general medical care in an independent, unsupervised setting.

7. The Georgia Board imposed the following discipline upon Respondent which included a prohibition from practicing medicine in the State of Georgia until permitted by the Georgia Board.

8. The conduct upon which the medical boards of Arizona, New Jersey and Georgia took disciplinary action against Respondent's licenses in their respective jurisdictions, would, if committed in New York State, constitute professional misconduct under N.Y. Educ. Law §6530(5) [practicing the profession with incompetence on more than one occasion]; and or

§6530(6) [practicing the profession with gross incompetence]; and/or §6530(15) [failing to comply with an order pursuant to §230(17) of the Public Health Law]; and/or §6530(29) [violating a limitation imposed on the licensee pursuant to §230 of the Public Health Law].

### **SPECIFICATIONS**

#### FIRST SPECIFICATION

#### Having Been Found Guilty of Improper Professional Practice

Respondent is charged with professional misconduct within the meaning of N.Y. Educ. Law §6509(9) (b) (McKinney Supp.1995) by 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 professional misconduct under the laws of New York State, in that Petitioner charges:

1. The facts in paragraph 5, and/or 6, and/or 7 hereto.

SECOND SPECIFICATION

Disciplined by Another State

Respondent is charged with professional misconduct within the meaning of N.Y. Educ. Law §6509(9)(d) (McKinney Supp. 1995) by reason of having disciplinary action taken against his license to practice medicine by a duly authorized professional disciplinary agency of another state, where the conduct resulting in 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:

2. The facts in paragraphs 1, and/or 2, and/or 3, and/or 4, and/or 5, and/or 6, and/or 7, and/or 8, hereof.

DATED: *April 12*, 1996

Albany, New York

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

## TERMS OF PROBATION

### EXHIBIT B

1. Respondent will personally meet with a member of the Office of Professional Medical Conduct staff on a random basis at the discretion of the Director of the Office of Professional Medical Conduct or designee.
  2. Respondent will conform fully:
    - a. to the professional standards of conduct imposed by law and by his profession
    - b. with all civil and criminal laws, rules and regulations.
  3. Respondent will notify the Office of Professional Medical Conduct of:
    - a. any and all investigations, charges, convictions or disciplinary actions taken by any local, state or federal agency, institution or facility, within thirty days of each action;
    - b. any and all changes in personal and professional addresses and telephone numbers and facility affiliations, within 30 days of such changes. This will include any change in practice location, within or outside of the State of New York. The date of departure from the State of New York, and the date of return, if any, must be reported in writing.
- Failure to notify the Office of Professional Medical Conduct of any of the above will be considered a violation of probation.
4. Respondent will maintain legible and complete medical records which accurately reflect evaluation and treatment of patients. Records will contain a comprehensive history, physical examination findings, chief complaint, present illness, diagnosis and treatment. In cases of prescribing, dispensing, or administering of controlled substances, the medical record will contain all information required by state rules and regulations regarding controlled substances.
  5. So long as there is full compliance with every term herein set forth, Respondent may continue to practice his or her profession in accordance with the terms of probation. Upon receipt of evidence of non compliance with, or any violation of these terms, the Director of the Office of Professional Medical Conduct and/or the Board may initiate a violation of probation proceeding and/or any such other proceeding against Respondent as may be authorized by law.

- a. Respondent shall assume and bear all costs related to compliance with the terms of probation.
6. The terms of probation will commence upon Respondent receipt by the Director of the Office of Professional Medical Conduct of written notification from Respondent of his intention to practice medicine in the State of New York.
  - a. If the Respondent does not practice medicine in the State of New York, the probation period may be tolled and the period will then be extended by the length of the period outside of New York. Any terms of probation which were not fulfilled while Respondent was in New York State, must be fulfilled upon return to New York State.
7. Respondent's practice of medicine shall be monitored by a physician monitor, board certified in an appropriate specialty, ("practice monitor") approved in advance, in writing, by the Director of the Office of Professional Medical Conduct or designee. Respondent may not practice medicine until an approved practice monitor and monitoring program is in place. Any practice of medicine prior to the submission and approval of a proposed practice monitor will be determined to be a violation of probation.
  - a. The practice monitor shall report in writing to the Director of the Office of Professional Medical Conduct or designee, on a schedule to be determined by the office. The practice monitor shall visit Respondent's medical practice at each and every location, on a random basis at least monthly/quarterly and shall examine a random (no less than 25 surgical cases for that quarter, if Respondent is engaged in the practice of surgery, or 15 percent of his family practice patients for the quarter, if Respondent is then engaged in family practice selection of records maintained by Respondent, including patient histories, prescribing information and billing records. Respondent will make available to the monitor any and all records or access to the practice requested by the monitor, including on-site observation. The review will determine whether the Respondent's medical practice is conducted in accordance with the generally accepted standards of professional medical care. Any perceived deviation from accepted standards of medical care or refusal to cooperate with the monitor shall immediately be reported to the Office of Professional Medical Conduct by the monitor.
  - b. Any change in practice monitor must be approved in writing, in advance, by the Office of Professional Medical Conduct.

- c. All expenses associated with monitoring, including fees to the monitoring physician, shall be the sole responsibility of the Respondent.
- d. It is the responsibility of the Respondent to ensure that the reports of the practice monitor are submitted in a timely manner. A failure of the practice monitor to submit required reports on a timely basis will be considered a possible violation of the terms of probation.
- e. Respondent must maintain medical malpractice insurance coverage with limits no less than \$2 million per occurrence and \$6 million per policy year, in accordance with Section 230(18)(b) of the Public Health Law. Proof of coverage shall be submitted to the Director or designee prior to the placement of a practice monitor.