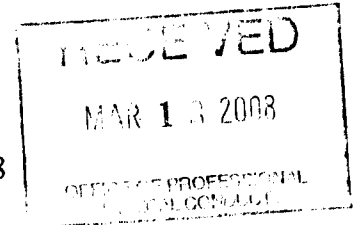




THE STATE EDUCATION DEPARTMENT / THE UNIVERSITY OF THE STATE  
OF NEW YORK

Office of Professional Discipline, 475 Park Avenue South, 2nd Floor, New York, NY 10016-6901  
Tel. (212) 951-6400  
Fax (212) 951-6420  
E-mail: OP4INFO@MAIL.NYSED.GOV

*Public*



March 10, 2008

Leon Turovsky, Physician  
199 Curtis Road  
Woodmere, New York 11598

Re: Application for Restoration

Dear Dr. Turvosky:

Enclosed please find the Commissioner's Order regarding Case No. CP-07-05 which is in reference to Calendar No. 22603. This order and any decision contained therein goes into effect five (5) days after the date of this letter.

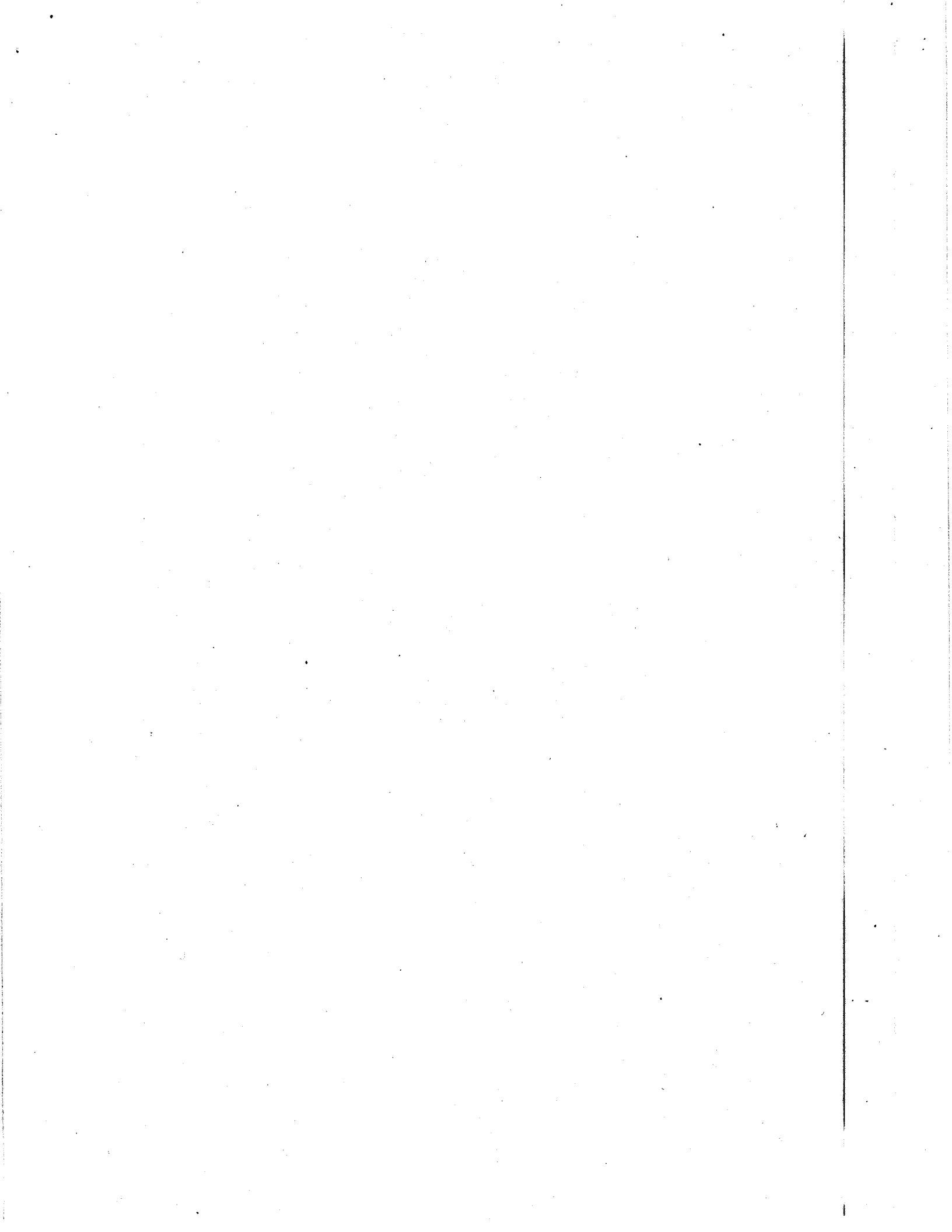
Very truly yours,

Daniel J. Kelleher  
Director of Investigations

By: *Ariana Miller*  
Ariana Miller  
Supervisor

DJK/AM/bt

cc: Robert Asher, Esq.  
295 Madison Avenue  
Suite 700  
New York, New York 10017



The  
University of the  
Education  State of New York  
Department

IN THE MATTER

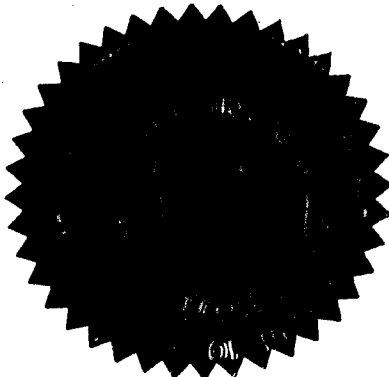
of the

Application of LEON TUROVSKY  
for restoration of his license to  
practice as a physician in the State of  
New York.

Case No. CP-07-05

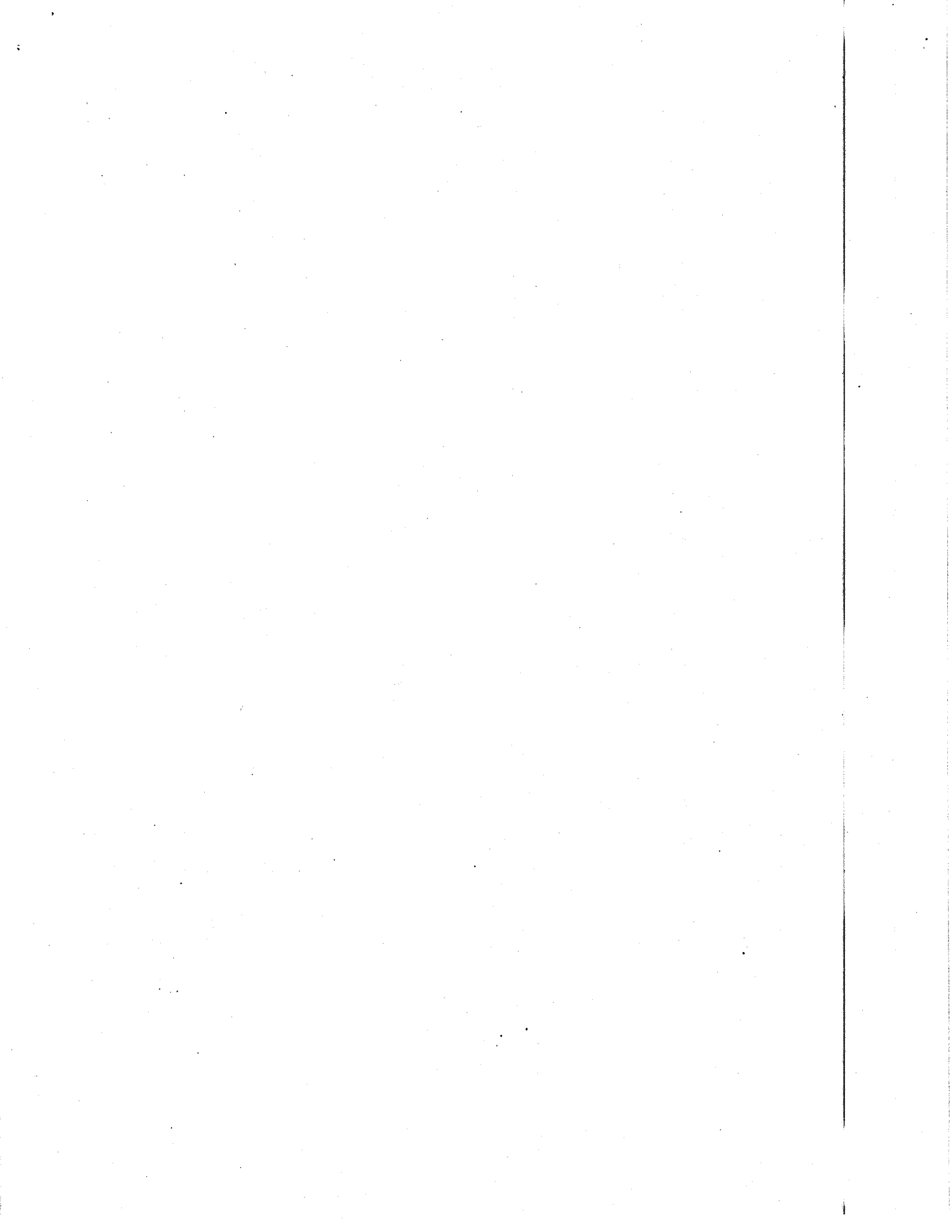
It appearing that the license of LEON TUROVSKY, 199 Curtis Road, Woodmere, New York 11598, to practice as a physician in the State of New York, was revoked by a Hearing Committee of the State Board for Professional Medical Conduct, effective on or about April 12, 2000, and he having petitioned the Board of Regents for restoration of said license, and the Regents having given consideration to said petition and having agreed with and accepted the recommendations of the Peer Committee and the Committee on the Professions, except having accepted the length of probation and terms of probation recommended by the Committee on the Professions, now, pursuant to action taken by the Board of Regents on December 14, 2007, it is hereby

ORDERED that the petition for restoration of License No. 158755, authorizing LEON TUROVSKY to practice as a physician in the State of New York, is denied, but that the execution of the order of revocation of said license is stayed, and said LEON TUROVSKY is placed on probation for a period of two years under specified terms and conditions and, upon successful completion of this probationary period, his license to practice as a physician in the State of New York shall be fully restored.



IN WITNESS WHEREOF, I, Kathy A. Ahearn, Acting  
Commissioner of Education of the State of New York for  
and on behalf of the State Education Department, do  
hereunto set my hand and affix the seal of the State  
Education Department, at the City of Albany, this 19<sup>th</sup>  
day of February, 2008.

Acting Commissioner of Education



Case No. CP-07-05

It appearing that the license of LEON TUROVSKY, 199 Curtis Road, Woodmere, New York 11598, to practice as a physician in the State of New York, was revoked by a Hearing Committee of the State Board for Professional Medical Conduct, effective on or about April 12, 2000, and he having petitioned the Board of Regents for restoration of said license, and the Regents having given consideration to said petition, and having agreed with and accepted the recommendations of the Peer Committee and the Committee on the Professions, except having accepted the length of probation and terms of probation recommended by the Committee on the Professions, now, pursuant to action taken by the Board of Regents on December 14, 2007, it was

VOTED that the petition for restoration of License No. 158755, authorizing LEON TUROVSKY to practice as a physician in the State of New York, is denied, but that the execution of the order of revocation of said license is stayed, and said LEON TUROVSKY is placed on probation for a period of two years under specified terms and conditions and, upon successful completion of this probationary period, his license to practice as a physician in the State of New York shall be fully restored.

THE UNIVERSITY OF THE STATE OF NEW YORK  
The State Education Department

Report of the Committee on the Professions  
Application for Restoration of Physician License

**Re: Leon Turovsky**

Attorney: Robert S. Asher, Esq.

Leon Turovsky, 199 Curtis Road, Woodmere, New York 11598, petitioned for restoration of his physician license. The chronology of events is as follows:

- 07/02/84 Issued license number 158755 to practice medicine in New York State.
- 06/22/99 Pled guilty in United States District Court for the Southern District of New York to Accepting Kickbacks for Referrals of Medicare Patients and Tax Evasion. Sentenced to six months in prison followed by two years of supervised release, payment of a fine of \$268,950, and a \$200 assessment.
- 10/19/99 Charged with professional misconduct by the Bureau of Professional Medical Conduct of the New York State Department of Health based on federal conviction.
- 03/31/00 Decision and Order BPMC-00-97 of a Hearing Committee of the State Board of Professional Medical Conduct revoked license to practice medicine in New York.
- 01/18/02 Satisfaction of Judgment filed indicating repayment of \$269,150 fine and assessment.
- 06/02/04 Application submitted for restoration of physician license.
- 06/06/06 Peer Committee restoration review.
- 02/12/07 Report and recommendation of Peer Committee (See "Report of the Peer Committee").
- 10/30/07 Committee on the Professions meeting with applicant.
- 11/16/07 Report and recommendation of Committee on the Professions.

**Disciplinary History.** (see attached disciplinary documents.) In June of 1999, Dr. Turovsky entered a plea and was found guilty of Accepting Kickbacks for Referrals of Medicare Patients for the time period of 1992 to February of 1998, and of Tax Evasion, for the years 1994, 1995, and 1996. He was sentenced to six months confinement to be followed by two years of supervised release, and was to pay a \$268,950. fine and \$200. assessment. As a result of that conviction, he was charged by the Bureau of Professional Medical Conduct (BPMC) with having violated Education Law §6530(9) by having been convicted of a federal crime. Subsequently, following a hearing on November 18, 1999 to determine the nature and severity of the penalty to be imposed, his license was revoked by Determination and Order No. 00-97, effective April 12, 2000.

On June 2, 2004, Dr. Turovsky submitted the instant application for restoration of his physician license.

**Recommendation of the Peer Committee.** (See attached Report of the Peer Committee.) The Peer Committee (Kavaler, Diamond, Lopez) convened on June 5, 2006. In its report dated February 12, 2007, the Committee unanimously recommended that the revocation of Dr. Turovsky's license to practice as a physician in the State of New York be stayed and that he be placed on probation for a period of five years under specified terms. Those terms included a provision that he not engage in private practice during that time period and that he practice medicine only under supervision in an Article 28 facility as defined by the Public Health Law of the State of New York, or the equivalent thereof on the federal level. Upon successful completion of the terms of probation, Dr. Turovsky's license would be fully restored.

**Recommendation of the Committee on the Professions.** On October 30, 2007, the Committee on the Professions (Ahearn, Muñoz, Earle) met with Dr. Turovsky to consider his application for restoration. His attorney Robert S. Asher accompanied him.

Dr. Turovsky was asked to explain his understanding of why his license had been revoked. Dr. Turovsky stated that he had committed the crime of accepting illegal remunerations for recommending that patients purchase durable medical equipment from a particular entity. He believed that those actions occurred primarily in 1994 and 1995. He explained that in 1993 he was approached by a charming and educated man who was starting a business selling surgical supply equipment and who asked him for help. He agreed to refer patients to this man. After a while, he started receiving cash for his referrals. Dr. Turovsky admitted that the cash he received was a kickback. He did not report these amounts on his income taxes. As a result, he was also convicted of income tax evasion. Dr. Turovsky stated that his original motivation was to help the other man's business, since he himself was at the peak of his career and was making good money. He told the Committee that he did not write unnecessary prescriptions, since they were all for equipment needed by the patients. Although he knew it was wrong to take the cash for the prescriptions, it became a habit. He told the Committee that he now understands the gravity of his crime and the implications of the drastic

results it has had on him and his family. He understands that taking kickbacks is a serious crime, since writing prescriptions under those conditions could escalate to the writing of unnecessary prescriptions. He stated that he takes full responsibility for his actions and realizes that he has brought shame to his profession as well as his loved ones. His time spent in prison was a humbling experience. In response to a question by the COP, Dr. Turovsky stated that he had received about \$60,000 in cash for his referrals.

When asked to relate more about what he had done to re-educate and rehabilitate himself, Dr. Turovsky stated that, in addition to taking numerous continuing medical education courses in internal medicine and fifteen credit hours in ethics, he continues to read and study medical journals to keep current. He also participated in the Professional/Problem Based Ethics (ProBE) program, in which physicians and other health care professionals who had committed crimes had spent three days together discussing what they had done and the ramifications of those actions. He told the Committee that he found everyone to be very honest about their experiences and the serious effects of their actions and that the program was very useful to him in understanding that the effects of his criminal activity and the dishonor it brought to his profession, his patients, and his family. In addition, he has performed more than 240 hours of community service.

When asked by the COP to respond to questions from the Department of Health as to whether he had practiced medicine after losing his license, Dr. Turovsky adamantly denied having practiced medicine after his revocation. He explained that his wife is a physician with a good practice and that, although he works in the same building, he is on a different floor, working as a cosmetic hair removal specialist. Someone calling the office and asking for Dr. Turovsky would be referred to his wife, since he does not use the title of doctor for his work.

Regarding why he wants his license back, Dr. Turovsky indicated that it was very important to him to restore the honor that he had lost due to his actions. He stated that he has the energy and knowledge to continue a career in medicine and that he wants to be a good servant to society and earn the public's trust. He explained that his only son had died not long ago, leaving two grandchildren that required his support. He wants his grandchildren to be able to look up to him and to call him "doctor" again. When asked by the COP about his opinion of the Peer Committee's recommendation that he work in an Article 28 facility during probation, Dr. Turovsky stated that he would try get a job in such a facility and would follow the probation directives, but that it was often difficult to find such positions.

The overarching concern in all restoration cases is the protection of the public. New York Education Law §6511 gives the Board of Regents discretionary authority to make the final decision regarding applications for the restoration of a professional license. Section 24.7 of the Rules of the Board of Regents charges the COP with submitting a recommendation to the Board of Regents on restoration applications. Although not mandated by law or regulation, the Board of Regents has instituted a process whereby a Peer Committee first meets with an applicant for restoration and provides a recommendation to the COP. A former licensee petitioning for restoration has a significant burden of satisfying the Board of Regents that there is a compelling



reason that licensure should be granted in the face of misconduct that resulted in the loss of licensure. There must be clear and convincing evidence that the petitioner is fit to practice safely, that the misconduct will not recur, and that the root causes of the misconduct have been addressed and satisfactorily dealt with by the petitioner. It is not the role of the COP to merely accept, without question, the arguments presented by the petitioner, but to weigh and evaluate all of the evidence submitted and to render a determination based upon the entire record.

The COP concurs with the Peer Committee's assessment that Dr. Turovsky is remorseful. Through his testimony and demeanor, he made it clear to the COP that he realizes his past mistakes and wants to move ahead in a positive way. He has also taken steps to re-educate himself and to rehabilitate himself, having taken various CME courses and having participated in the ProBE professional ethics program. One of the faculty members of the ProBE program wrote, "His resolution to rejoin his profession is without doubt sincere (without 'anger or denial') and his integration of an ethical perspective into this resolve is evident." Dr. Turovsky has paid all of the fines assessed against him following his conviction. He explained to the Committee the work he has been doing since the revocation of his license, and the Committee is satisfied that he has not practiced medicine illegally, which was the principal area of concern raised by the Department of Health in commenting on Dr. Turovsky's application. Based on the documentation he has submitted and the testimony before the Peer Committee, the COP found that Dr. Turovsky has performed extensive volunteer work in his Russian-speaking community, writing articles in Russian-language publications concerning medical issues, participating in community activities at his synagogue, and providing public service through Project Neshama, an organization providing social and cultural programs for immigrant families. The COP concluded, as did the Peer Committee, that he would not present a threat to the safety of the public if his license is restored to him, but rather that his medical skills would be a benefit to society.

While agreeing with most of the Peer Committee's report, the COP voted to modify the probationary terms recommended by the Peer Committee. Since the disciplinary charges against Dr. Turovsky did not implicate his skills as a physician, the COP believes that a five year probationary term is unnecessarily long. The COP also believes that the requirement that he work in an Article 28 facility with quarterly performance reviews is unwarranted, especially considering the difficulty in locating those types of medical positions in the community in which Dr. Turovsky has worked. The COP concluded that two years would be a more appropriate probationary period, and that the terms should provide that Dr. Turovsky only be allowed to write prescriptions for durable medical equipment if the prescription is co-signed by another physician, other than his wife, during the probationary period.

Therefore, after a careful review of the record and its meeting with Dr. Turovsky, the Committee on the Professions voted unanimously to concur with the recommendation of the Peer Committee that the Order of Revocation of Dr. Turovsky's license to practice as a physician in the State of New York be stayed and that he be placed on probation for two years under specified terms attached to this report and labeled as Exhibit "A", and that upon satisfactory completion of the probationary period, his license be fully restored.

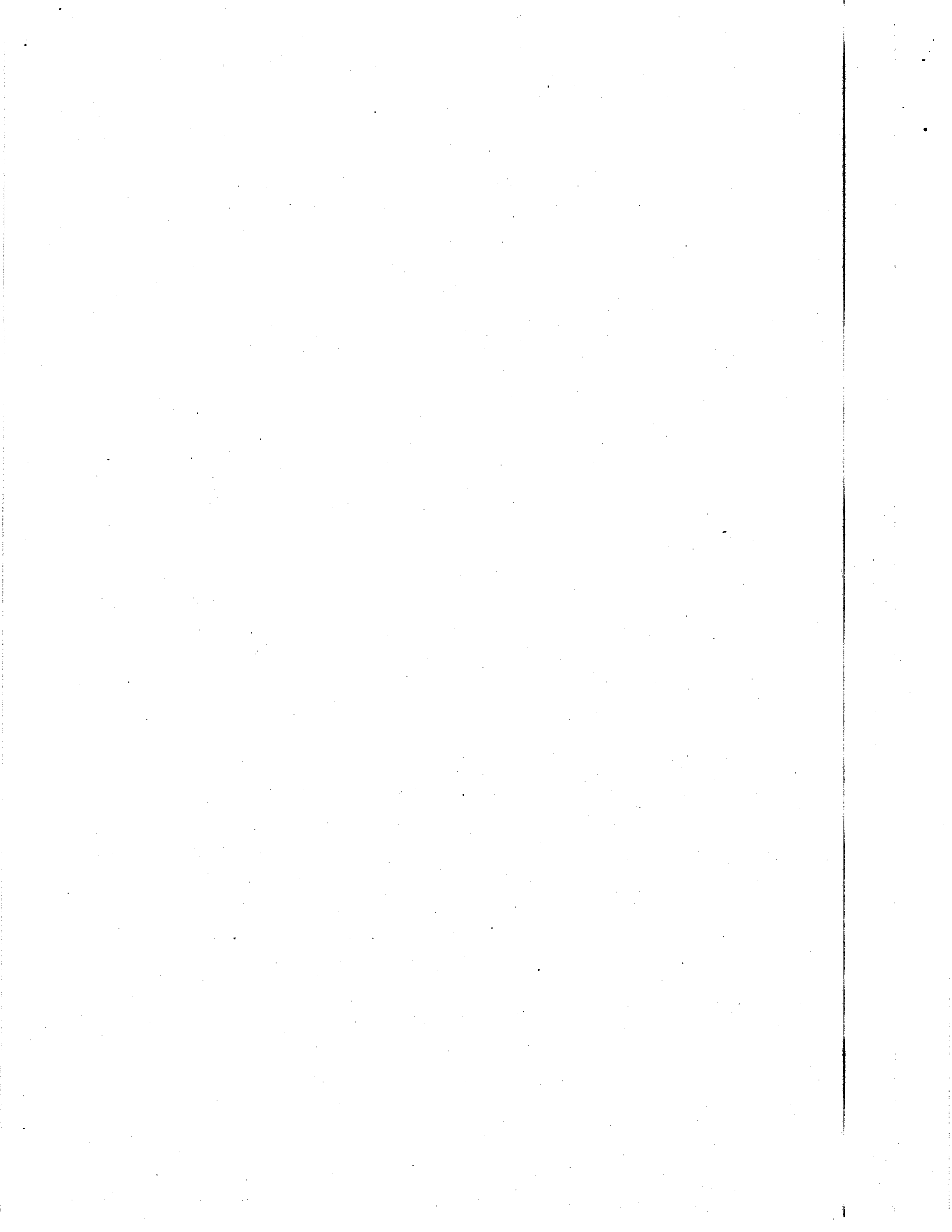
## EXHIBIT "A"

### COMMITTEE ON THE PROFESSIONS

#### TERMS OF PROBATION

#### LEON TUROVSKY

1. That applicant, during the period of probation, shall be in compliance with the standards of conduct prescribed by the law governing applicant's profession;
2. That applicant shall submit written notification to the Director, Office of Professional Medical Conduct (OPMC), 433 River Street- Suite 303, Troy, NY 12180-2299, of any employment and/or practice, applicant's residence, telephone number, and mailing address and of any change in applicant's employment, practice, residence, telephone number, and mailing address within or without the State of New York;
3. That applicant shall submit written proof from the Division of Professional Licensing Services (DPLS), New York State Education Department (NYSED), that applicant has paid all registration fees due and owing to the NYSED and applicant shall cooperate with and submit whatever papers are requested by DPLS in regard to said registration fees, said proof from DPLS to be submitted by applicant to the Department of Health (DOH), addressed to the Director, OPMC, as aforesaid, no later than the first three months of the period of probation;
4. That applicant shall submit written proof to the DOH, addressed to the Director, OPMC, as aforesaid, that 1) applicant is currently registered with the NYSED, unless applicant submits written proof that applicant has advised DPLS, NYSED, that applicant is not engaging in the practice of applicant's profession in the State of New York and does not desire to register, and that 2) applicant has paid any fines which may have previously been imposed upon applicant by the Board of Regents or pursuant to §230-a of the Public Health Law, said proof of the above to be submitted no later than the first two months of the period of probation;
5. That applicant shall make quarterly visits to an employee of the OPMC, DOH, unless otherwise agreed to by said employee, for the purpose of said employee monitoring applicant's terms of probation to assure compliance therewith, and applicant shall cooperate with said employee, including the submission of information requested by said employee, regarding the aforesaid monitoring;
6. That, during the period of probation, any and all prescriptions for durable medical equipment written by the applicant shall be co-signed by another physician, other than his wife;
7. If the Director of OPMC determines that applicant may have violated any term of probation, the Department of Health may initiate a violation of probation proceeding and/or such other proceedings pursuant to the Public Health Law, Education Law, and/or Rules of the Board of Regents; and



8. That the period of probation shall be tolled during periods in which the applicant is not engaged in the active practice of medicine in New York State. The applicant shall notify the Director of OPMC, in writing, if the applicant is not currently engaged in or intends to leave the active practice of medicine in New York State for a period of thirty (30) consecutive days or more. The applicant shall then notify the Director again prior to any change in that status. The period of probation shall resume and any terms of probation which were not fulfilled shall be fulfilled upon the applicant's return to practice in New York State.



# The University of the State of New York

NEW YORK STATE EDUCATION DEPARTMENT  
OFFICE OF PROFESSIONAL RESPONSIBILITY  
STATE BOARD FOR MEDICINE

-----X  
In the Matter of the Application of

**LEON TUROVSKY**

for the restoration of his license to  
practice as a physician in the State  
of New York.

**REPORT OF  
THE PEER COMMITTEE  
CAL. NO. 22603**

-----X  
LEON TUROVSKY, hereinafter known as the applicant, was  
previously licensed to practice as a physician in the State of New  
York by the New York State Education Department.

## PRIOR DISCIPLINE

On June 2, 1999, in the US Southern District Court, the  
applicant entered a plea and was found guilty of violating Title  
42, U.S.C. Section 132a-7b(B)(1)(B), Accepting Kickbacks for  
Referrals of Medicare Patients and Title 26 U.S.C. Section 7201,  
Tax Evasion. The applicant was sentenced to six months of  
confinement, two years of supervised release, a \$268,950 fine and  
a \$200 assessment. According to the Court Documents, the  
applicant unlawfully, willfully and knowingly accepted kickbacks  
for referring Medicare patients from 1992 to on or about 2/18/98.  
The applicant also unlawfully, willfully and knowingly attempted

LEON TUROVSKY (22603)

to evade Federal income tax for the calendar years 1994, 1995 and 1996. As a result of this conviction, the applicant was charged with violating Education Law, Section 6530(9). Pursuant to Determination and Order BPMS #00-97, dated 3/31/00, the applicant's license to practice medicine in New York State was revoked.

#### THE APPLICATION

Regarding continuing medical education (CME), the Application lists 57 hours in internal medicine and 15 hours in ethics. It also states:

"I study medical journals such as JAMA, New England Journal of Medicine, Annals of Internal Medicine as well as concise review of medical news in bi-monthly Journal Watch. I also navigate medical sites on the Internet."

"Courses on medical ethics greatly enriched me in understanding my mistakes, responsibilities as well as accountability of medical professionals. I also learned the importance of professional Boards and various committees in supervision, guidance and discipline of medical professionals for safety of public."

The Application also lists 240 hours of community service from 2000-2004.

An affidavit entitled "Petition for Restoration" states in part:

"The Honorable Colleen McMahon, the Sentencing Judge stated

LEON TUROVSKY (22603)

on the record at the time of my sentencing, 'Dr. Turovsky was sort of a guardian angel to the community (and) did nothing to compromise patient care in the commission of the crimes.'"

"The Hearing Committee of the Bureau of Professional Medical Conduct, stated in their Report that the charges against me 'do not reflect on (my) technical competence as a physician.'"

"I was released from Probation at the completion of one year of supervised release."

"I have completed my incarceration and paid my fine."

"I am extremely remorseful that I have committed the acts which resulted in my being convicted of a crime and I am aware that by doing so I have disgraced and brought shame upon my profession, my family and myself."

"I have thought about what caused me to commit the crimes of which I stand convicted and for the past three years I have been engaged in activities which I considered necessary to complete before applying for my license restoration."

"I have also considered the ethical implication of my conduct and how it has affected others. I have taken the ProBE Program, which is a full three-day course in Professional/Problem Based Ethics from the Ethics Group, and have annexed hereto a letter from the Group stating my progress in that area."

The letter referred to in the preceding paragraph states in part:

"Dr. Leon Torovsky attended all the sessions of the ProBE

LEON TUROVSKY (22603)

Program, completed all the assignments, and showed evidence of having read the relevant assignments in the collection of readings. Dr. Turovsky was an active, fully engaged participant. He provided a straightforward disclosure of his infraction, including a clear labeling of its nature ("kickback")."

"Dr. Turovsky provides a well-written essay that unblinkingly describes what he calls 'a habitual deception for the sake of greed,' in the form of a financial kickback scheme for which he has been convicted and punished with criminal incarceration. He takes no solace in the fact that patient care, per se, was not compromised. He fully recognizes that the larger issue of professional ethics and the broader implications for the fiduciary role of the physician is what is on the table. He leaves the ProBE Program with a greater understanding of the contexts of accountability and the legitimate roles of the various agencies that implement these standards for the mutual protection of the public and the profession. His resolution to rejoin his profession is without a doubt sincere (without "anger or denial") and his integration of an ethical perspective into this resolve is evident."

"Our overall assessment of Dr. Turovsky's capacities for ethical reasoning and insight as demonstrated over the course of the ProBE Program is unconditional."

INVESTIGATIVE INTERVIEW

When asked what his feelings were about the revocation of his



LEON TUROVSKY (22603)

license, the applicant responded that, initially, his feelings were conflicted inasmuch as none of his patients were hurt by his actions. In retrospect, however, he knows that greed was his motivating factor for becoming involved in the kickback scheme. He takes full responsibility for his actions and realizes that he brought shame upon his profession, his family and himself. He managed to pay the fine that had been assessed against him by selling his house, his practice and by cashing in his life insurance policies. The applicant stated that his family and friends have been supportive throughout his ordeal. He is truly sorry for his bad judgment and the mistakes that he has made. He now fully understands the consequences of his actions and wants to assure the New York State Board for Medicine that these mistakes will never recur.

Much of the rest of the investigative interview was regarding the information contained in the application and petition for restoration.

#### THE MEETING

On June 6, 2006, this Peer Panel met to consider the application in this matter. The applicant appeared and was represented by Robert S. Asher, Esq. Claudia Stern, Esq. represented the Division of Prosecutions of the Office of Professional Discipline.

During the course of the meeting, the applicant offered additional documents which were accepted and marked as applicant's

LEON TUROVSKY (22603)

exhibits A through E.

The applicant's first witness was Rabbi Baruch Zushe Winner. Rabbi Winner testified that he has known the applicant since 1998 and knows that the applicant was imprisoned for improper financial dealings regarding kickbacks. He said that despite that, the community wanted to have a dinner with the applicant as the dinner's honoree because the applicant was so popular and respected in the area for his community service. However, he said the applicant refused this honor saying "no, you don't understand, I committed a crime and I'm a criminal" and "I can't be honored. I don't want to be honored. I'm not a doctor anymore."

The Rabbi went on to say that the applicant has done many hours of volunteer work at their synagogue. He said the applicant told him that he did not want to be called "Doctor Turovsky" because he was not a doctor anymore because he lost his license. The Rabbi said that the applicant blames himself for this loss.

Damara Starkova was the applicant's next witness. She said she has known the applicant for about three years and knows him through his work at the Russian newspaper published in the community. The applicant has submitted a number of articles on medical subjects which were published in that newspaper. She said that in the articles the applicant identifies himself as Leon Torovsky, not Dr. Turovsky.

Alan Brutton was then called as a witness for the applicant. Mr. Brutton has known the applicant since 1993 and has been both a

LEON TUROVSKY (22603)

patient and a friend of the applicant's. Mr. Brutton said the applicant is a chastened person who has expressed remorse for the acts that led to his criminal convictions and who has referred to himself as a felon. Mr. Brutton said he would return to the applicant as a patient if the applicant's license is restored.

The applicant then spoke to the panel and repeated much of what is set forth in the application and petition for restoration and the investigative interview. He added that he had immigrated to the United States from Russia. He said at first he had not received any kickbacks for prescribing the durable medical equipment (DME) in question but eventually he started receiving cash. He said that over a six year period he wrote eighty (80) prescriptions for DME for which he received approximately sixty thousand dollars (\$60,000).

The applicant went on to say that he initially did not think there was anything wrong with getting these kickbacks but eventually he started to be uneasy about it. He also said that he never realized until he was arrested that he had to declare this money on his income taxes.

The applicant said that since he was released from prison he has done maintenance work in a building he owns and where his wife's office is located (the applicant's wife is a physician). He also has obtained a certificate to become a technician for operating laser equipment. He has purchased equipment and opened an office in the same building as his wife but on a different

LEON TUROVSKY (22603)

floor. The sign on his office says "laser Center" and his office phone number is a different number than any other office in the building. He said that basically the laser center belongs to his wife and he is a salaried employee.

The applicant went on to say that he has written about twenty medical related articles from 2001 to the present time, for the Russian newspaper that Ms. Starkova testified about. He said he does this to inform the public and to counteract "charlatans" who misinform the public.

The applicant said that his medical skills may have become slightly dull since the time he lost his license and he would be willing to practice under someone's supervision should his license be restored. He said he has been offered positions (see applicant's exhibit E).

The applicant went on to say that he now realizes that his misconduct was not just a financial crime but it was an ethical crime as well and that he had broken the code of honor for physicians. He said that while he never prescribed any DME that was not necessary for the patients in question, he could see how kickbacks could lead to unnecessary prescriptions. He said he knows his misconduct hurt his profession.

Ms. Stern closed by saying the Department would leave it to the panel's discretion as to whether or not to recommend the restoration of the applicant's license.

Mr. Asher closed by saying the applicant would accept any

LEON TUROVSKY (22603)

conditions imposed upon him should the panel recommend restoration of licensure.

RECOMMENDATION

The Peer Committee has considered the entire record in this matter. We have considered the three criteria typically used in restoration determinations: remorse, reeducation, and rehabilitation.

Regarding rehabilitation, the applicant has made the full restitution required of him. The applicant has served his prison sentence and was discharged early from probation and has to take the ProBE ethic course.

Regarding continuing education, the applicant has taken numerous courses, has written many medical articles for the Russian newspaper, reads the medical journals weekly and has taken on intensive review courses in internal medicine.

Regarding remorse, we believe the applicant is remorseful based on his testimony and demeanor before us and based on the testimony of his witnesses, particularly Rabbi Winner.

We also note that the applicant has done a good deal of volunteer work.

We do not believe that the applicant would represent a threat to the safety of the public, were his license to be restored.

This committee does feel, however, that should the applicant wish to return to the medical community that there should be specific guidelines and restrictions during a specific period of

LEON TUROVSKY (22603)

time.

Accordingly, we unanimously recommend that the application herein be granted and that the revocation of the applicant's license to practice medicine in the State of New York be stayed.

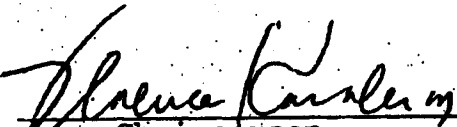
We further recommend that the applicant be placed on probation for a period of five years under the terms annexed hereto, made a part hereof, and marked as Exhibit A.

Respectfully submitted,

FLORENCE KAVALER, M.D., CHAIRPERSON

MARTIN DIAMOND, D.O.

RAFAEL LOPEZ, M.D.

  
Chairperson

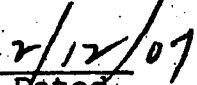
  
Dated

EXHIBIT A

TERMS OF PROBATION  
OF THE HEARING PANEL

LEON TUROVSKY

CALENDAR NO. 22603

1. That applicant, during the period of probation, shall be in compliance with the standards of conduct prescribed by the law governing applicant's profession;
2. That applicant shall submit written notification to Director, Office of Professional Medical Conduct (OPMC), Department of Health (DOH), 433 River Street, Troy, NY 12180-2299, of any employment and/or practice, applicant's residence, telephone number, and mailing address, and of any change in applicant's employment, practice, residence, telephone number, or mailing address within or without the State of New York;
3. That applicant shall submit written proof from the Division of Professional Licensing Services (DPLS), New York State Education Department (NYSED), 2<sup>nd</sup> Floor, North Wing, 89 Washington Avenue, Albany, New York 12234 that applicant has paid all registration fees due and owing to the NYSED and applicant shall cooperate with and submit whatever papers are requested by DPLS in regard to said registration fees, said proof from DPLS to be submitted by applicant to the DOH, addressed to the Director, OPMC, as aforesaid, no later than the first three months of the period of probation;
4. That applicant shall submit written proof to the DOH, addressed to the Director, OPMC, as aforesaid, that 1) applicant is currently registered with the NYSED, unless applicant submits written proof that applicant has advised DPLS, NYSED, that applicant is not engaging in the practice of applicant's profession in the State of New York and does not desire to register, and that 2) applicant has paid any fines which may have previously been imposed upon applicant by the Board of Regents or pursuant to section 230-a of the Public Health Law, said proof of the above to be submitted no later than the first two months of the period of probation;

LEON TUROVSKY (22603)

5. That applicant shall make quarterly visits to an employee of the OPMC, DOH, unless otherwise agreed to by said employee, for the purpose of said employee monitoring applicant's terms of probation to assure compliance therewith, and applicant shall cooperate with said employee, including the submission of information requested by said employee, regarding the aforesaid monitoring;
6. That, applicant, during the period of probation, shall practice medicine only as a salaried physician under supervision in an article 28 facility and/or the equivalent thereof on the federal level;
7. That applicant shall have quarterly performance reports submitted to DOH addressed to the Director, OPMC as aforesaid evaluating his performance as a physician in his place of employment, said reports to be prepared by applicant's supervisor;
8. That upon receipt of evidence of noncompliance with or any other violation of any of the aforementioned terms of probation, the New York State Education Department may initiate a violation of probation proceeding and/or such other proceedings pursuant to the Education Law and/or Rules of the Board of Regents.