



**New York State Board for Professional Medical Conduct**

433 River Street, Suite 303 Troy, New York 12180-2299 • (518) 402-0863

Barbara A. DeBuono, M.D., M.P.H.  
*Commissioner of Health*

Patrick F. Carone, M.D., M.P.H.  
*Chair*  
Ansel R. Marks, M.D., J.D.  
*Executive Secretary*

July 17, 1997

**CERTIFIED MAIL-RETURN RECEIPT REQUESTED**

Paul Visconti, M.D. <sup>AR</sup>  
Redacted Address

RE: License No. 196347

Dear Dr. Visconti:

Enclosed please find Order #BPMC 97-171 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  
Hedley Park Place, Suite 303  
433 River Street  
Troy, New York 12180

Sincerely,

Redacted Signature

Ansel R. Marks, M.D., J.D.  
Executive Secretary  
Board for Professional Medical Conduct

**Enclosure**

cc: Ira Podlofsky, Esq.  
Podlofsky & Orange  
855 Sixth Avenue, Suite 500  
New York, New York 10001

Dianne Abeloff, Esq.

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

IN THE MATTER  
OF  
PAUL A. VISCONTI, M.D.

SURRENDER  
ORDER

BPMC #97-171

Upon the proposed agreement of PAUL A. VISCONTI, <sup>DD</sup> M.D. (Respondent) to Surrender his license as a physician in the State of New York, which proposed agreement is made a part hereof, it is agreed to and

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 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 July 16, 1997

Redacted Signature  
PATRICK F. CARONE, M.D., M.P.H.  
Chairperson  
State Board for Professional  
Medical Conduct



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. 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 Surrender Order for which I hereby apply, whether administratively or judicially, and ask that the Application be granted.

Redated Signature

~~PAUL A. VISCONTI, M.D.~~  
RESPONDENT *20.*

Sworn to before me this

*7<sup>th</sup>* day of *July*, 1997

Redacted Signature

~~NOTARY PUBLIC~~

MARYANNE KOLENOVSKY  
Notary Public, State of New York  
No. 02K05007570  
Qualified in Queens County, *1997*  
Commission Expires February 1, *1999*

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

Date: July 7, 1997

Redacted Signature

IRA PODLOFSKY, Esq.  
Attorney for Respondent

Date: July 9, 1997

Redacted Signature

DIANNE ABELOFF  
Associate Counsel  
Bureau of Professional  
Medical Conduct

Date: July 10, 1997

Redacted Signature

ANNE F. SAILE  
Director  
Office of Professional Medical Conduct

IN THE MATTER  
OF  
PAUL VISCONTI, ~~M.D.~~  
D.O.

STATEMENT  
OF  
CHARGES

Paul Visconti, M.D., the Respondent, was authorized to practice medicine in New York State on or about July 1, 1994, by the issuance of license number 196347 by the New York State Education Department.

**FACTUAL ALLEGATIONS**

- A. On or about Friday, April 25, 1997, at approximately midnight, at St. Charles Hospital, Port Jefferson, N.Y., Respondent entered Patient A's (the identity of Patients A and B is contained in the attached Appendix) hospital room without medical justification. Several times during the course of the evening of April 25th, and again early morning Saturday, April 26, 1997, Respondent made highly inappropriate comments of a sexual nature to Patient A. During one of those visits, Respondent placed his hand on Patient A's neck, abdomen and inner thigh without any legitimate medical purpose.
- B. On or about July 31, 1995, Patient B was admitted to the emergency room at Good Samaritan Hospital, Islip, New York, with complaints of severe stomach pain. Respondent, an emergency room physician, examined Patient B. During the course of his alleged examination of Patient B, rubbed her breast and pelvic area and placed his finger into her vagina without any legitimate medical purpose. Respondent then brought his finger to his nose and then placed it into his mouth. Respondent also made inappropriate sexual

comments to Patient B.

**SPECIFICATION OF CHARGES**

**FIRST AND SECOND SPECIFICATIONS**

**SEXUAL ABUSE**

Respondent is charged with committing professional misconduct as defined in N.Y. Educ. Law §6530(31)(McKinney Supp. 1997) by willfully harassing, abusing, or intimidating a patient verbally, as alleged in the facts of:

1. Paragraph A
2. Paragraph B.

**THIRD AND FOURTH SPECIFICATIONS**

**MORAL UNFITNESS**

Respondent is charged with committing professional misconduct as defined in N.Y. Educ. Law §6530(20)(McKinney Supp. 1997) by engaging in conduct in the practice of medicine which evidences moral unfitness to practice, as alleged in the facts of:

3. Paragraph A
4. Paragraph B.

DATED: July , 1997  
New York, New York

Redated Signature

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**ROY NEMERSON**  
Deputy Counsel  
Bureau of Professional  
Medical Conduct