



Board for Professional Medical Conduct

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

Mark R. Chassin, M.D., M.P.P., M.P.H.
Commissioner

C. Maynard Guest, M.D.
Executive Secretary

January 4, 1995

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

Ronald S. Wagner, M.D.
2450 Hollywood Boulevard
Suite 603
Hollywood, FL 33020

RE: License No. 104609

Effective Date: 1/11/95

Dear Dr. Wagner:

Enclosed please find Order #BPMC 95-01 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,

C. Maynard Guest, M.D.
Executive Secretary
Board for Professional Medical Conduct

Enclosure

cc: Harold Braxton, Esq.
Suite 400
One Datan Center
9100 South Dadeland Boulevard
Miami, FL 33156-7815

Timothy Mahar, Esq.

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

-----X

IN THE MATTER :
OF : ORDER
RONALD S. WAGNER, M.D. : BPMC #95-01

-----X

Upon the application of RONALD S. WAGNER, 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: 29 Jan 1997

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

IN THE MATTER : APPLICATION
OF : FOR
RONALD S. WAGNER, M.D. : CONSENT
: ORDER

-----X

STATE OF FLORIDA)
COUNTY OF BROWARD) ss.:

Ronald S. Wagner, M.D., being duly sworn, deposes and says:

That on or about September 5, 1969, I was licensed to practice as a physician in the State of New York, having been issued License No. 104609 by the New York State Education Department.

I am not currently registered with the New York State Education Department to practice as a physician in the State of New York.

I understand that the New York State Board for Professional Medical Conduct has charged me with one specification 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 one specification of professional misconduct set forth in the Statement of Charges.

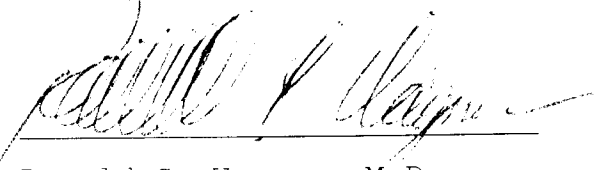
I hereby agree to the penalty of censure and reprimand.

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.


Ronald S. Wagner, M.D.
RESPONDENT

Sworn to before me this

day of

, 19 .

NOTARY PUBLIC

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

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IN THE MATTER

: APPLICATION

OF

: FOR

RONALD S. WAGNER, M.D.

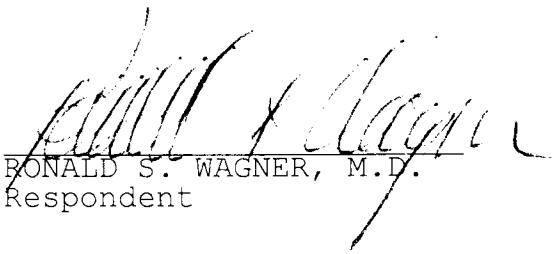
: CONSENT

: ORDER

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

DATE: 15 Dec 94


RONALD S. WAGNER, M.D.
Respondent

DATE: _____

HAROLD M. BRAXTON, ESQ.
Attorney for Respondent

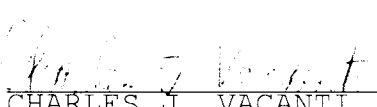
DATE: Dec 1994

TIMOTHY J. MAHAR
Assistant COUNSEL
Bureau of Professional
Medical Conduct

DATE: Dec 1994

KATHLEEN M. TANNER
DIRECTOR
Office of Professional Medical
Conduct

DATE: Dec 1994


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
RONALD S. WAGNER, M.D. : CHARGES

-----X

RONALD S. WAGNER, M.D., the Respondent, was authorized to practice medicine in New York State on September 5, 1969, by the issuance of license number 104609 by the New York State Education Department. Respondent is not currently registered with the New York State Education Department to practice medicine.

FACTUAL ALLEGATIONS

1. The Florida Board of Medicine, by Order dated February 6, 1993, and pursuant to the terms of a Consent Agreement, dated December 15, 1992, imposed among other things, the following discipline upon Respondent:

- a. required Respondent to pay a \$1,000.00 fine; and
- b. required Respondent to submit corrected business envelopes to the Florida Board of Medicine deleting any references to Respondent as a "Board Certified Diplomate of Orthopedic Medicine".

2. The conduct underlying the Florida Board of Medicine's imposition of discipline upon Respondent consisted of advertising on office envelopes that Respondent was a "Board Certified Diplomate in Orthopedic Medicine", when said specialty board is not recognized by the American Board of Medical Specialities in violation of Florida Administrative Code, Rule 21M-24.001(f) [now Rule 61F6-24.001(2)(f)] and when such advertising created false or unjustified expectations of beneficial assistance in violation of Florida Administrative Code Rule 21M-24.001(c) [now Rule 61F6-24.001(2)(c)].

3. By reason of Respondent's violations of the Florida Board of Medicine's rules as forth in paragraph two hereof, Respondent committed an act of professional misconduct in violation of Florida Statutes §458.311(1)(x).


4. The conduct underlying the Florida Board of Medicine's imposition of disciplinary action upon Respondent would, if committed in New York State, constitute professional misconduct under N.Y. Educ. Law §6530(2) [practicing the profession fraudulently], and/or §6530(27)(a) [advertising not in the public interest] and/or §6530(27)(a)(i) [advertising which is false, fraudulent, deceptive, misleading, sensational, or flamboyant] (McKinney Supp. 1994).

SPECIFICATION

Respondent is charged with professional misconduct within the meaning of N.Y. Educ. Law §6530(9)(d) (McKinney Supp. 1994) 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 licensee 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 paragraphs 1 through 4.

DATED: *Dec 1*, 1994
Albany, New York


PETER D. VAN BUREN
Deputy Counsel
Bureau of Professional
Medical Conduct