



Board for Professional Medical Conduct

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

October 29, 1992

C. Maynard Guest, M.D.
Executive Secretary

CERTIFIED MAIL-RETURN RECEIPT REQUESTED

Robert C. Wallen, M.D.
R.D. 7
18 Spruce Park
Stroudsburg, Pennsylvania 18360

RE: License No. 153565

Effective date 11/05/92

Dear Dr. Wallen:

Enclosed please find Order #BPMC 92-94 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

Enclosure



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

-----X

IN THE MATTER :
OF : ORDER
ROBERT C. WALLEN, M.D. : BPMC #92-94

-----X

Upon the application of ROBERT C. WALLEN, 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: 26 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

-----X	:	APPLICATION
IN THE MATTER	:	FOR
OF	:	CONSENT
ROBERT C. WALLEN, M.D.	:	ORDER
-----X	:	

COMMONWEALTH OF PENNSYLVANIA)
) ss.:
 COUNTY OF PHILADELPHIA)

ROBERT C. WALLEN, M.D., being duly sworn, deposes and
 says:

That on or about March 11, 1983, I was licensed to practice
 as a physician in the State of New York, having been issued
 License No. 153565 by the New York State Education Department.

I am currently registered with the New York State Education
 Department to practice as a physician in the State of New York
 for the period January 1, 1991 through December 31, 1992. My
 registered address is RD 7, 18 Spruce Park, Stroudsburg,
 Pennsylvania 18360.

I understand that the New York State Board of 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".

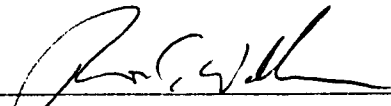
I admit guilt to the charged specifications and agree to the following penalty: a one year suspension of my license to practice medicine in New York State, with the entire suspension stayed conditioned on my full compliance with all Terms of Probation set forth in Exhibit B attached hereto, during a probationary period of one year.

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.



ROBERT C. WALLEN, M.D.
RESPONDENT

Sworn to before me this
14th day of October, 1992



NOTARY PUBLIC

**NOTARIAL SEAL
WENDY L. BAABE, NOTARY PUBLIC
STROUDSBURG, MONROE CO., PA.
MY COMMISSION EXPIRES NOV. 30, 1992**

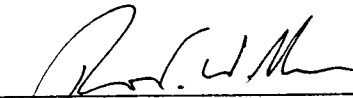
STATE OF NEW YORK : DEPARTMENT OF HEALTH
STATE BOARD FOR PROFESSIONAL MEDICAL CONDUCT

-----X
: APPLICATION
IN THE MATTER :
: FOR
OF :
: CONSENT
ROBERT C. WALLEN, M.D. :
: 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:

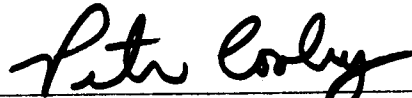
10/14/92



ROBERT C. WALLEN, M.D.
RESPONDENT

Date:

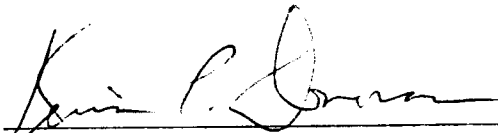
10/12/92



PETER W. COOLEY, ESQ.
ATTORNEY FOR RESPONDENT

Date:

10/16/92



KEVIN P. DONOVAN
ASSISTANT COUNSEL
BUREAU OF PROFESSIONAL
MEDICAL CONDUCT

Date: Oct. 29, 1992

Kathleen M. Tanner

KATHLEEN M. TANNER
DIRECTOR
OFFICE OF PROFESSIONAL
MEDICAL CONDUCT

Date: 26 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

-----X
IN THE MATTER : STATEMENT
OF : OF
ROBERT C. WALLEN, M.D. : CHARGES
-----X

ROBERT C. WALLEN, M.D., the Respondent, was authorized to practice medicine in New York State on March 11, 1983, by the issuance of license number 153565 by the New York State Education Department. The Respondent is currently registered with the New York State Education Department to practice medicine for the period January 1, 1991, to December 31, 1992. Respondent's registered address with the New York State Education Department is RD 7, 18 Spruce Park, Stroudsburg, Pennsylvania 18360.

FACTUAL ALLEGATIONS

A. By Order dated May 28, 1991, the State Board of Medicine of the Commonwealth of Pennsylvania concluded that Respondent was guilty of unprofessional conduct in violation of 63 P.S. §422.41(8) and 49 Pa. Code §16.61(a)(16) by making obscene phone calls to a former patient.

EXHIBIT A

FIRST SPECIFICATION

Respondent is charged with professional misconduct under New York Education Law §6530(9)(b) (McKinney Supp. 1992) in that he has 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 of Paragraph A.

SECOND SPECIFICATION

Respondent is charged with professional misconduct under New York Education Law §6530(9)(d) (McKinney Supp. 1992) in that disciplinary action was taken against Respondent after disciplinary action was instituted by a duly authorized professional disciplinary agency of another state, where the conduct resulting in the disciplinary action involving the license would, if committed in New York State, constitute professional misconduct under the law of New York State, in that Petitioner charges:

2. The facts of Paragraph A.

EXHIBIT "B"

TERMS OF PROBATION

1. Robert C. Wallen, the Respondent, shall fully comply with all terms of the order dated May 28, 1991, of the State Board of Medicine of the Commonwealth of Pennsylvania.
2. Respondent shall, during the period of probation, conduct himself in all ways in a manner befitting his professional status, and shall conform fully to the moral and professional standards of conduct imposed by law and by his profession;
3. That Respondent shall submit written notification to the New York State Department of Health (NYSDOH), addressed to the Director, Office of Professional Medical Conduct, New York State Health Department, Corning Tower Building, 4th Floor, Empire State Plaza Albany, New York 12237 of the address and telephone number of his employment and practice, of Respondent's residence address and telephone number, of any change in Respondent's employment, practice, residence, or telephone number within or without the State of New York;
4. Respondent shall submit written proof from the Division of Professional Licensing Services (DPLS), New York State Education Department (NYSED), that Respondent has paid all registration fees due and owing to the NYSED and Respondent 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 Respondent to the New York State Department of Health, addressed to the Director, Office of Professional Medical Conduct, as aforesaid, no later than the first three months of the period of probation;
5. Respondent shall submit written proof to the NYSDOH, addressed to the Director, Office of Professional Medical Conduct, as aforesaid, that 1) Respondent is currently registered with the NYSED, unless Respondent submits written proof that Respondent has advised DPLS, NYSED, that Respondent is not engaging in the practice of Respondent's profession in the State of New York and does not desire to register, and that 2) Respondent has paid any fines which may have previously been imposed upon Respondent by the Board or by the Board of Regents; said proof of the above to be submitted no later than the first two months of the period of probation;

6. Respondent shall comply with all terms, conditions, restrictions, and penalties to which he is subject pursuant to the order of the Board;
7. So long as there is full compliance with every term herein set forth, Respondent may continue to practice his or her aforementioned profession in accordance with the terms of probation; provided, however, that upon receipt of evidence of noncompliance 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 such other proceeding against Respondent as may be authorized pursuant to the Public Health Law.



ROBERT C. WALLEN, M.D.

DATED: Albany, New York
September 27 1992

Peter D. Van Buren

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