



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

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

Dennis P. Whalen  
*Executive Deputy Commissioner of Health*  
Anne F. Saile, Director  
*Office of Professional Medical Conduct*  
William J. Comiskey, Chief Counsel  
*Bureau of Professional Medical Conduct*

William P. Dillon, M.D.  
*Chair*  
Denise M. Bolan, R.P.A.  
*Vice Chair*  
Ansel R. Marks, M.D., J.D.  
*Executive Secretary*

November 30, 1998

**CERTIFIED MAIL - RETURN RECEIPT REQUESTED**

Gregory Watson, M.D.  
7 Clovewood Road  
White Plains, New York 10665

Re: License No. 148773

Dear Dr. Watson:

Enclosed please find Order #BPMC 98-284 of the New York State Board for Professional Medical Conduct. This Order and any penalty provided therein goes into effect **November 30, 1998**.

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 to the Board for Professional Medical Conduct, New York State Department of Health, Hedley Park Place, Suite 303, 433 River Street, Troy, New York 12180.

Sincerely,

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

Enclosure

cc: Michael H. Sussman, Esq.  
25 Main Street  
Goshen, New York 10924

David Smith, Esq.

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

IN THE MATTER  
OF  
GREGORY WATSON, M.D.

CONSENT  
ORDER  
BPMC #98-284

Upon the proposed agreement of GREGORY WATSON, M.D.  
(Respondent) for Consent Order, which application is made a part hereof, it is  
agreed to and

ORDERED, that the application and the provisions thereof are hereby adopted  
and so ORDERED, and it is further

ORDERED, that this order shall be effective upon issuance by the Board,  
which may be accomplished by mailing, by first class mail, a copy of the Consent  
Order to Respondent at the address set forth in this agreement or to  
Respondent's attorney by certified mail, or upon transmission via facsimile to  
Respondent or Respondent's attorney, whichever is earliest.

SO ORDERED.

DATED: 11/15/98



Chairperson  
State Board for Professional  
Medical Conduct

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

IN THE MATTER  
OF  
GREGORY WATSON , M.D.

CONSENT  
AGREEMENT  
AND  
ORDER

STATE OF NEW YORK )  
COUNTY OF ) ss.:

GREGORY WATSON , M.D., being duly sworn, deposes and says:

That on or about November 20, 1981, I was licensed to practice as a physician in the State of New York, having been issued License No. 148773 by the New York State Education Department.

My current address is, 7 Clovewood Road, White Plains, New York 10665 and I will advise the Director of the Office of Professional Medical Conduct of any change of my address.

I understand that the New York State Board for Professional Medical Conduct has charged me with six specifications of professional misconduct.

A copy of the Statement of Charges is annexed hereto, made a part hereof, and marked as Exhibit "A".

I agree not to contest the third specification of the Statement of Charges in full satisfaction of the charges against me. I deny the first, second, fourth, and fifth specifications. I hereby agree to the following penalty:

Two year stayed suspension with probation pursuant to the terms annexed hereto as Exhibit B.

I further agree that the Consent Order for which I hereby apply shall impose a condition that, except during periods of actual suspension, I maintain current registration of my license with the New York State Education Department Division of Professional Licensing Services, and pay all registration fees. This condition shall be in effect beginning thirty days after the effective date of the Consent Order and continuing until the full term of the Order has run, and until any associated period of probation and all probation terms have been completed and satisfied. I hereby stipulate that any failure by me to comply with such condition shall constitute misconduct as defined by New York State Education Law §6530(29)(McKinney Supp 1997).

I agree that in the event I am charged with professional misconduct in the future, this agreement and order shall be admitted into evidence in that proceeding.

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 agree that such order shall be effective upon issuance by the Board, which may be accomplished by mailing, by first class mail, a copy of the Consent Order to me at the address set forth in this agreement, or to my attorney, or upon transmission via facsimile to me or my attorney, whichever is earliest.

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

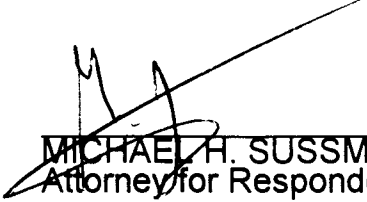
AFFIRMED:

DATED 10/27/98

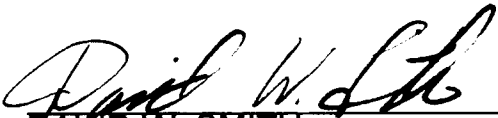
  
\_\_\_\_\_  
GREGORY WATSON, M.D.  
RESPONDENT

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

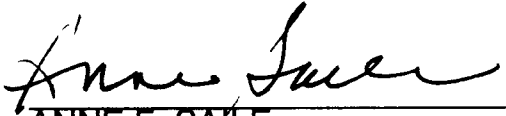
DATE: 10/22/98

  
MICHAEL H. SUSSMAN  
Attorney for Respondent

DATE: 11/10/98

  
DAVID W. SMITH  
Associate Counsel  
Bureau of Professional  
Medical Conduct

DATE: Nov 15 1998

  
ANNE F. SAILE  
Director  
Office of Professional  
Medical Conduct

EX. H

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

IN THE MATTER  
OF  
GREGORY WATSON, M.D.

STATEMENT  
OF  
CHARGES

GREGORY WATSON, M.D., the Respondent, was authorized to practice medicine in New York State on or about November 20, 1981, by the issuance of license number 148773 by the New York State Education Department.

FACTUAL ALLEGATIONS

- A. On or about May 15, 1995, Respondent treated Patient A, a 49 year old woman, in the Emergency Room of Horton Memorial Hospital for trauma sustained in an auto accident.
1. Respondent failed to perform an adequate physical examination or note such examination, if any.
  2. Respondent inappropriately failed to rule out serious intra-abdominal injury including rib fractures, ruptured spleen, injured tail of the pancreas and acute blood loss anemia, or note such rule outs, if any.
  3. Respondent inappropriately failed to conduct proper laboratory tests, including a CBC.

4. Respondent inappropriately failed to obtain a surgical consult in order to rule out intra-abdominal injury and inappropriately failed to inform Patient A of the possibility of such injury.

B. On or about January 9, 1992, Respondent saw Patient B, a 50 year old woman in the Emergency Room of Horton Memorial Hospital for dizziness and palpitations of three days duration.

1. Respondent caused an EKG of Patient B to be taken which showed serious abnormalities. Patient B should have been admitted immediately to the hospital but Respondent inappropriately failed to do so or note such admission, if any.



## SPECIFICATION OF CHARGES

### FIRST SPECIFICATION

#### GROSS NEGLIGENCE

Respondent is charged with committing professional misconduct as defined in N.Y. Educ. Law §6530(4) (McKinney Supp. 1998) by practicing the profession with gross negligence on a particular occasion, as alleged in the facts of:

1. Paragraphs A and A1-4.

### SECOND SPECIFICATION

#### GROSS INCOMPETENCE

Respondent is charged with committing professional misconduct as defined in N.Y. Educ. Law §6530(6)(McKinney Supp. 1998) by practicing the profession of medicine with gross incompetence as alleged in the facts of the following:

2. Paragraphs A and A1-4.

### THIRD SPECIFICATION

#### NEGLIGENCE ON MORE THAN ONE OCCASION

Respondent is charged with committing professional misconduct as defined in N.Y. Educ. Law §6530(3)(McKinney Supp. 1998) by practicing the profession of medicine with negligence on more than one occasion as alleged in the facts of two or more of the following:

1. Paragraphs A and A1-4 and B and B1.

**FOURTH SPECIFICATION**

**INCOMPETENCE ON MORE THAN ONE OCCASION**

Respondent is charged with committing professional misconduct as defined in N.Y. Educ. Law §6530(5)(McKinney Supp. 1998) by practicing the profession of medicine with incompetence on more than one occasion as alleged in the facts of two or more of the following:

2. Paragraphs A and A1-4 and B and B1.

**FIFTH AND SIXTH SPECIFICATIONS**

**FAILURE TO MAINTAIN RECORDS**

Respondent is charged with committing professional misconduct as defined in N.Y. Educ. Law §6530 (32)(McKinney Supp. 1998) by failing to maintain a record for each patient which accurately reflects the care and treatment of the patient, as alleged in the facts of:

3. Paragraphs A and A1-2.
4. Paragraphs B and B1.

DATED: September 5, 1998  
New York, New York

  
\_\_\_\_\_  
ROY NEMERSON  
Deputy Counsel  
Bureau of Professional  
Medical Conduct

## EXHIBIT "B"

### Terms of Probation

1. Respondent shall conduct himself/herself in all ways in a manner befitting his/her professional status, and shall conform fully to the moral and professional standards of conduct and obligations imposed by law and by his/her profession.
2. Respondent shall submit written notification to the New York State Department of Health addressed to the Director of the Office of Professional Medical Conduct, New York State Department of Health, 433 River Street, Suite 303, Troy, NY 12180-2299; said notice is to include a full description of any employment and practice, professional and residential addresses and telephone numbers within or without New York State, and any and all investigations, charges, convictions or disciplinary actions by any local, state or federal agency, institution or facility, within thirty days of each action.
3. Respondent shall fully cooperate with and respond in a timely manner to requests from OPMC to provide written periodic verification of Respondent's compliance with the terms of this Order. Respondent shall personally meet with a person designated by the Director of OPMC as requested by the Director.
4. Any civil penalty not paid by the date prescribed herein shall be subject to all provisions of law relating to debt collection by New York State. This includes but is not limited to the imposition of interest, late payment charges and collection fees; referral to the New York State Department of Taxation and Finance for collection; and non-renewal of permits or licenses [Tax Law section 171(27)]; State Finance Law section 18; CPLR section 5001; Executive Law section 32].
5. The period of probation shall be tolled during periods in which Respondent is not engaged in the active practice of medicine in New York State. Respondent shall notify the Director of OPMC, in writing, if Respondent 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. Respondent 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 Respondent's return to practice in New York State.
6. Respondent's professional performance may be reviewed by the Director of OPMC. This review may include, but shall not be limited to, a review of office records, patient records and/or hospital charts, interviews with or periodic visits with Respondent and his/her staff at practice locations or OPMC offices.
7. Respondent shall maintain legible and complete medical records which accurately reflect the evaluation and treatment of patients.

## **PRACTICE MONITOR**

8. Respondent shall practice medicine only when monitored by a licensed physician, board certified in an appropriate specialty, ("practice monitor") proposed by Respondent and subject to the written approval of the Director of OPMC.
  - a. Respondent shall make available to the practice monitor any and all records or access to the practice as requested by the monitor.
  - b. Respondent shall be solely responsible for all expenses associated with monitoring, including fees and costs connected with the rendering of second surgical opinions by the monitoring physician.
  - c. The practice monitor shall visit Respondent's medical practice at each and every location, on a random unannounced basis at least quarterly and review a minimum of ten charts per quarter.
  - d. Any perceived deviation of accepted standards of medical care or refusal to cooperate with the monitor shall be reported within 24 hours to OPMC.
  - e. Respondent shall cause the practice monitor to report quarterly, in writing, to the Director of OPMC.
  - f. Respondent shall 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 of OPMC prior to Respondent's practice after the effective date of this Order.
  
9. Respondent shall comply with all terms, conditions, restrictions, limitations and penalties to which he or she is subject pursuant to the Order and shall assume and bear all costs related to compliance. Upon receipt of evidence of noncompliance with, or any violation of these terms, the Director of OPMC and/or the Board may initiate a violation of probation proceeding and/or any such other proceeding against Respondent as may be authorized pursuant to the law.