



New York State Board for Professional Medical Conduct

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

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

Charles J. Vacanti, M.D.
Chair

February 29, 1996

CERTIFIED MAIL-RETURN RECEIPT REQUESTED

Arthur Weintraub, M.D.
2661 Kekaa Drive
Lahaina Maui, Hawaii 96767

Re: NY License No. 105487

Dear Dr. Weintraub:

Effective Date: 03/07/96

Enclosed please find Order #BPMC 96-35 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,

Charles J. Vacanti, M.D.
Chair
Board for Professional Medical Conduct

Enclosure

cc: Kevin Roe, Esq.

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

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IN THE MATTER :
OF : ORDER
ARTURH WEINTRAUB, M.D. : BPMC #96-35

-----X

Upon the Application of ARTURH WEINTRAUB, M.D., to Surrender his license as a physician in the State of New York, which application is made a part hereof, it is

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: 26 February 1996

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 TO
OF : SURRENDER
ARTHUR WEINTRAUB, M.D. : LICENSE

-----X

STATE OF HAWAII)

ss.:

COUNTY OF)

ARTHUR WEINTRAUB, M.D., being duly sworn, deposes and says:

On or about 1970, I was licensed to practice medicine as a physician in the State of New York having been issued License number 105487 by the New York State Education Department.

I understand that I have been charged with two specifications of professional misconduct as set forth in the Statement of Charges, annexed hereto, made a part hereof, and marked as Exhibit "A".

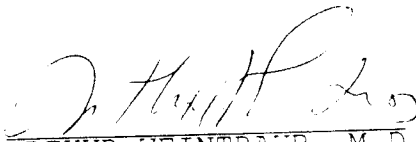
I am applying to the State Board for Professional Medical Conduct for permission to surrender my license as a physician in the State of New York on the grounds that I admit guilt to the two specifications.

I hereby make this application to the State Board for Professional Medical Conduct and request that it be granted.

I understand that, in the event that the application is not granted by the State 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.


ARTHUR WEINTRAUB, M.D.
Respondent

Sworn to before me this
6th day of February, 1996


NOTARY PUBLIC

My commission expires: June 16, 1998

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


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IN THE MATTER : APPLICATION TO
OF : SURRENDER
ARTHUR WEINTRAUB, M.D. : LICENSE

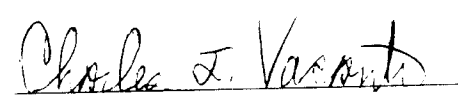
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The undersigned agree to the attached application of the Respondent to surrender his license.

Date: 2/6/1, 1996 
ARTHUR WEINTRAUB, M.D.
Respondent

Date: 2/13, 1996 
KEVIN C. ROE
Associate Counsel
Bureau of Professional
Medical Conduct

Date: 2/20, 1996 
ANNE F. SAILE
Acting Director, Office
of Professional Medical Conduct

Date: 26 February, 1996 
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

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IN THE MATTER : STATEMENT
OF : OF
ARTHUR WEINTRAUB, M.D. : CHARGES

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ARTHUR WEINTRAUB, M.D., the Respondent, was authorized to practice medicine in New York State in about 1970 by the issuance of license number 105487 by the New York State Education Department.

FACTUAL ALLEGATIONS

A. On or about February 9, 1995, Respondent license to practice medicine in the State of California was revoked by the Division of Medical Quality, Medical Board of California, based on a Stipulated Settlement and Disciplinary Order in which Respondent admitted committing acts and/or omissions constituting gross negligence in violation of California Business and Professions Code §2234b. The revocation of Respondent's license was stayed and Respondent placed on probation for three years. The conduct upon which the California discipline was based would, if committed in New York State, constitute professional misconduct under New York Education Law §6531(4).

FIRST SPECIFICATION

Respondent is charged with having 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 finding was based would, if committed in New York State, constitute misconduct under the laws of New York State in violation of New York Educ. Law §6530(9)(b) (McKinney Supp. 1996) in that , Petitioner alleges:

1. The facts in Paragraph A.

SECOND SPECIFICATION

Respondent is charged with having his license to practice medicine revoked, suspended or having other disciplinary action taken after a disciplinary action was instituted by a duly authorized professional disciplinary agency of another state, where the conduct resulting in the revocation, suspension, or other disciplinary action, would, if committed in New York State, constitute professional misconduct under the laws of New York State in violation of New York Educ. §6530(9)(d) (McKinney Supp. 1996) in that, Petitioner alleges:

2. The facts in paragraph A.

DATED: Albany, New York, 1995

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

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

-----X

IN THE MATTER : NOTICE OF
OF : REFERRAL
ARTHUR WEINTRAUB, M.D. : PROCEEDING

-----X

TO: ARTHUR WEINTRAUB, M.D.
2661 Kekaa Drive
Lahaina Maui
Hawaii 96761

PLEASE TAKE NOTICE THAT:

An adjudicatory proceeding will be held pursuant to the provisions of N.Y. Pub. Health Law Section 230(13) (p) (McKinney Supp. 1995) and N.Y. State Admin. Proc. Act Sections 301-307 and 401 (McKinney 1984 and Supp. 1995). The proceeding will be conducted before a committee on professional conduct of the State Board for Professional Medical Conduct (Committee on the 5TH day of March, 1996 at 10:00 a.m. in the forenoon of that day at the Cultural Education Building, Empire State Plaza, Concourse Level, Meeting Room E, Albany, New York 12230.

At the proceeding, evidence will be received concerning the allegations set forth in the Statement of Charges, which is attached. A stenographic record of the proceeding will be made and the witnesses at the proceeding will be sworn and examined.

You may appear in person at the proceeding and may be represented by counsel. You may produce evidence or sworn testimony on your behalf. Such evidence or sworn testimony shall be strictly limited to evidence and testimony relating to the

nature and severity of the penalty to be imposed upon the licensee. Where the charges are based on the conviction of state law crimes in other jurisdictions, evidence may be offered which would show that the conviction would not be a crime in New York State. The Committee also may limit the number of witnesses whose testimony will be received, as well as the length of time any witness will be permitted to testify.

If you intend to present sworn testimony, the number of witnesses and an estimate of the time necessary for their direct examination must be submitted to the New York State Department of Health, Division of Legal Affairs, Bureau of Adjudication, Corning Tower Building, 25th Floor, Empire State Plaza, Albany, New York 12237, ATTENTION: HON. TYRONE BUTLER, DIRECTOR, BUREAU OF ADJUDICATION, henceforth "Bureau of Adjudication" as well as the Department of Health attorney indicated below, on or before February 26, 1996.

You may file a written answer, brief, and affidavits with the Committee. Six copies of all papers you wish to submit must be filed with the Bureau of Adjudication at the address indicated above on or before February 26, 1996 and a copy of all papers must be served on the same date on the Department of Health attorney indicated below. Pursuant to Section 301.5 of the State Administrative Procedure Act, the Department, upon reasonable notice, will provide at no charge a qualified interpreter of the deaf to interpret the proceedings to, and the testimony of, any deaf person.

The proceeding may be held whether or not you appear. Please note that requests for adjournments must be made in

Inquiries should be addressed to:

Kevin C. Roe
Associate Counsel
NYS Department of Health
Division of Legal Affairs
Corning Tower Building
Room 2429
Empire State Plaza
Albany, New York 12237
(518) 473-4282