



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

August 18, 1998

CERTIFIED MAIL-RETURN RECEIPT REQUESTED

Warren H. Williams, M.D.
1510 Orchard Lake Drive, Suite B
Charlotte, North Carolina 28270

RE: License No. 153572

Dear Dr. Williams:

Enclosed please find Order #BPMC 98-185 of the New York State Board for Professional Medical Conduct. This Order and any penalty provided therein goes into effect **August 25, 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.

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: Kathleen M. Sweet, Esq.
Gibson, McAskill & Crosby, LLP
69 Delaware Avenue, Suite 900
Buffalo, New York 14202-3866

Kevin P. Donovan, Esq.

STATE OF NEW YORK : DEPARTMENT OF HEALTH
STATE BOARD FOR PROFESSIONAL MEDICAL CONDUCT
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IN THE MATTER : SURRENDER
OF : ORDER
WARREN H. WILLIAMS, M.D. : BPMC # 98-185
-----X

WARREN H. WILLIAMS, M.D., says:

On or about March 11, 1933, I was licensed to practice medicine as a physician in the State of New York having been issued License No. 153572 by the New York State Education Department.

My current address is 1510 Orchard Lake Drive, Suite B, Charlotte, North Carolina 28270, and I will advise the Director of the Office of Professional Medical Conduct of any change of my address.

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 I have been charged with Twenty-One Specifications of professional misconduct as set forth in the Statement of Charges, annexed hereto, made a part hereof, and marked as Exhibit "A".

Received Time Aug. 10. 8:29AM Print Time Aug. 10. 8:32AM

I am applying to the State Board for Professional Medical Conduct for an agreement to allow me to surrender my license as a physician in the State of New York and request that the Board issue this Surrender Order.

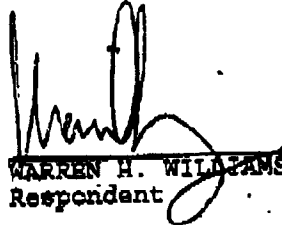
I hereby admit guilt of the Eighth Specification in relation to Paragraphs A, D, F, and G set forth in the Statement of Charges (Exhibit A).

I understand that, in the event that this proposed agreement 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 proposed agreement 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 agrees with my proposal, this Order shall be issued striking my name from the roster of physicians in the State of New York without further notice to me.

Received Time Aug. 10. 8:58AM

and not under duress, compulsion, or restraint of any kind or manner.


WARREN H. WILLIAMS, M.D.
Respondent

AGREED TO:

Date: Aug. 11, 1998 
KATHLEEN M. SWARD
Attorney for Respondent

Date: Aug. 11, 1998 
KEVIN P. DONOVAN
Associate Counsel
Bureau of Professional
Medical Conduct

Date: Aug 12, 1998 
ANNE F. SAYLE
Director, Office of
Professional Medical Conduct

Received Time Aug. 7. 6:08PM Print Time Aug. 10. 8:31AM

ORDER

Upon the proposed agreement of WARREN H. WILLIAMS, M.D., 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 proposed agreement 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.

DATED: 8/13/98

Patrick F. Carone, M.D.

PATRICK F. CARONE, M.D., M.P.H.
Chair
State Board for Professional
Medical Conduct

Received Time Aug. 10. 8:39AM

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

-----X

IN THE MATTER : STATEMENT
OF : OF
WARREN H. WILLIAMS, M.D. : CHARGES

-----X

WARREN H. WILLIAMS, M.D., the Respondent, was authorized to practice medicine in New York State on March 19, 1992, by the issuance of license number 153572 by the New York State Education Department.

FACTUAL ALLEGATIONS

A. Respondent was the sole psychiatrist for Williams Psychiatric, P.C., with an office at 3907 North Buffalo Road, Orchard Park, New York 14127. Respondent left notes for his office staff which were found on or about March 31, 1994, directing staff to inform patients that Respondent has closed his practice for "personal and financial reasons!" and to provide patients with names of four psychiatrists and telephone numbers at Erie County Medical Center. Respondent had not appropriately informed Patients A through G (patients are identified in Appendix A) that he would be leaving his practice in this time frame or manner and otherwise had not made appropriate arrangements for transfer of the patients to other psychiatrists.

B. Respondent fraudulently told staff of the Abbott Answering service that Kelly Krause of his office would handle

EXHIBIT A

all of his phone calls through May 1, when he had made no such arrangements.

C. Respondent treated Patient A, a 30 year old female, beginning on or about April 6, 1993, and until the time he left his practice, for diagnoses of major depression and "family problems", Respondent changed his diagnosis to bipolar disorder; Patient A had a history of a drug overdose in early 1993.

D. Respondent treated Patient B, a 33 year old female, beginning about July 1993, and until the time Respondent left his practice, for a diagnosis of bipolar disorder mixed, characterized by episodes of mania with physical aggression, and severe depression with suicidal ideation. Respondent was also Patient B's attending psychiatrist during four psychiatric hospitalizations from July 1993 through February 1994.

E. Respondent treated Patient C, a 43 year old male, beginning in or around approximately October 1993, and until Respondent left his practice, for a diagnosis of major depression which developed in the context of several personal losses.

F. Respondent treated Patient D, a 42 year old female beginning in or around June 1993, and until Respondent left his practice, for depression which impaired her ability to work. Patient D had a history of depression since 1986, and electroconvulsive therapy (ECT) in 1991.

G. Respondent treated Patient E, a 53 year old male, beginning in or around August, 1993, until the time Respondent left his practice, for an initial diagnosis of adjustment disorder with mixed emotional features, rule out personality disorder not otherwise specified. Patient E had a history of suicidal ideation and difficulties maintaining relationships with mental health care providers.

H. Respondent treated Patient F, a 31 one year old female, beginning in or around October 1993 and until the time Respondent left his practice, for a diagnosis of organic mood disorder secondary to multiple sclerosis.

I. Respondent treated Patient G, a 40 year old female, beginning in or around January, 1994, and until the time Respondent left his practice; Respondent's impression diagnosis was "rule out atypical bipolar disorder."

J. Respondent treated Patient H, a 40 year old female, between at least May 20, 1993, until at least March 1, 1994.

1. Respondent failed to establish and/or maintain appropriate professional boundaries in the psychiatrist-patient relationship with Patient H.
2. Respondent engaged in a personal intimate relationship and/or physical contact of a sexual nature with Patient H during the course of his treatment of Patient H.
3. Following Respondent's leaving New York State in March, 1994, Respondent and Patient H cohabited in North Carolina and/or engaged in a personal and sexual relationship, and became married in January, 1995.

4. Respondent fraudulently purported to marry Patient H when he could not legally do so because he was still married to another woman.
5. Respondent failed to adequately document his evaluation and/or treatment of Patient H.

K. By Stipulation and Order of the Commissioner of Health dated January 23, 1995, Respondent admitted and was found to have possessed controlled substances that had been dispensed to ultimate users other than himself, in violation of Public Health Law section 3304(1).

SPECIFICATIONS OF MISCONDUCT

FIRST THROUGH SEVENTH SPECIFICATIONS

ABANDONING PATIENTS

The Respondent is charged with abandoning a patient under and in need of immediate professional care without making reasonable arrangements for the continuation of such care within the meaning of New York Education Law §6530(30) (McKinney Supp. 1995), in that Petitioner charges:

1. The facts of paragraphs A and C.
2. The facts of paragraphs A and D.
3. The facts of paragraphs A and E.
4. The facts of paragraphs A and F.
5. The facts of paragraphs A and G.
6. The facts of paragraphs A and H.
7. The facts of paragraphs A and I.

EIGHTH SPECIFICATION

NEGLIGENCE ON MORE THAN ONE OCCASION

The Respondent is charged with practicing the profession with negligence on more than one occasion within the meaning of New York Education Law §6530(3) (McKinney Supp. 1995), in that Petitioner charges two or more of the following:

8. The facts of paragraphs A and C, A and D, A and E, A and F, A and G, A and H, A and I, J and J.1, J and J.2, J and J.3 and/or J and J.4.

NINTH THROUGH THIRTEENTH SPECIFICATIONS

GROSS NEGLIGENCE

The Respondent is charged with practicing the profession with gross negligence within the meaning of New York Education Law §6530(4) (McKinney Supp. 1995), in that Petitioner charges:

9. The facts of paragraphs A and C.
10. The facts of paragraphs A and D.
11. The facts of paragraphs A and E.
12. The facts of paragraphs A and F.
13. The facts of paragraphs J and J.1, J and J.2, J and J.3, and/or J and J.4.

FOURTEENTH SPECIFICATION

INCOMPETENCE ON MORE THAN ONE OCCASION

The Respondent is charged with practicing the profession with incompetence on more than one occasion within the meaning of New York Education Law §6530(5) (McKinney Supp. 1995), in that Petitioner charges two or more of the following:

14. The facts of paragraphs A and C, A and D, A and E, A and F, A and G, A and H, A and I, J and J.1, J and J.2, J and J.3 and/or J and J.4.

FIFTEENTH AND SIXTEENTH SPECIFICATIONS

FRAUD

The Respondent is charged with practicing the profession fraudulently within the meaning of §6530(2) (McKinney Supp. 1995), in that Petitioner charges:

15. The facts of paragraph B.
16. The facts of paragraphs J and J.4.

SEVENTEENTH AND EIGHTEENTH SPECIFICATIONS

MORAL UNFITNESS

The Respondent is charged with conduct in the practice of medicine which evidences moral unfitness to practice medicine within the meaning of §6530(20) (McKinney Supp. 1995), in that Petitioner charges:

17. The facts of paragraph B.
18. The facts of paragraphs J and J.2, J and J.3 and/or J and J.4.

NINETEENTH SPECIFICATION

PHYSICAL CONTACT OF A SEXUAL NATURE WITH A PATIENT

The Respondent is charged, in the practice of psychiatry, with physical contact of a sexual nature with a patient, within the meaning of §6530(44) (McKinney Supp. 1995), in that Petitioner charges:

19. The facts of paragraphs J and J.2 and/or J and J.3.

TWENTIETH SPECIFICATION

VIOLATION OF ARTICLE 33

The Respondent is charged with having been found by the

commissioner of health to be in violation of article thirty-three of the public health law within the meaning of New York Education Law §6530(9)(e) (McKinney Supp. 1995), in that Petitioner charges:

20. The facts of paragraph K.

TWENTY-FIRST SPECIFICATION

FAILURE TO MAINTAIN ADEQUATE RECORDS

The Respondent is charged with failing to maintain a record for each patient which accurately reflects the evaluation and treatment of the patient within the meaning of §6530(32) (McKinney Supp. 1995), in that Petitioner charges:

21. The facts of paragraphs J and J.5.

DATED: *December 6*, 1995
Albany, New York .

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