



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

**Board for Professional Medical Conduct**

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

C. Maynard Guest, M.D.  
Executive Secretary

April 8, 1994

**CERTIFIED MAIL-RECEIPT REQUESTED**

Kirby Wright, M.D.  
700 Linden Boulevard  
Brooklyn, New York 11203

RE: License No. 128070  
Effective Date: 4/15/94

Dear Dr. Wright:

Enclosed please find Order #BPMC 94-49 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

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

✓  
✓  
-----X

IN THE MATTER :

OF :

KIRBY WRIGHT, M.D. :

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:  
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ORDER  
BPMC #94-49

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Upon the Application of Kirby Wright, M.D., Respondent, to Surrender his or her 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 Respondent shall not apply for the restoration of Respondent's license until at least one year has elapsed from the effective date of this order; 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 via certified mail, whichever is earliest.

SO ORDERED,

DATED:

1 April 1994

*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

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IN THE MATTER  
  
OF  
  
KIRBY WRIGHT, M.D.  
  
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: APPLICATION  
:  
: TO SURRENDER  
:  
: LICENSE  
:  
:

STATE OF NEW YORK )  
COUNTY OF KINGS )

ss.:

KIRBY WRIGHT, M.D., being duly sworn, deposes and says:

On or about August 13, 1976, I was licensed to practice as a physician in the State of New York having been issued License No. 128070 by the New York State Education Department.

I am currently registered to practice as a physician in the State of New York during the period January 1, 1993 through December 31, 1994 from 700 Linden Boulevard, Brooklyn, N.Y. 11203.

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 the three specifications of professional misconduct set forth in the

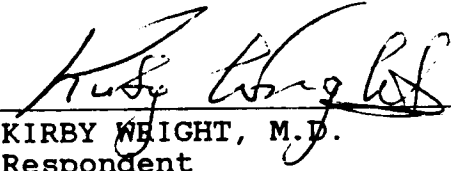
Statement of Charges, annexed hereto, made a part hereof, and marked as Exhibit "A."

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.

  
KIRBY WEIGHT, M.D.  
Respondent

Sworn to before me this  
30 day of March, 1994

  
NOTARY PUBLIC

JAGDAT MARAGH  
Notary Public, State of New York  
No. 24 - 4819131  
Qualified in Kings County  
Commission Expires June 30, 1994

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

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IN THE MATTER  
OF  
KIRBY WRIGHT, M.D.  
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: APPLICATION  
: TO SURRENDER  
: LICENSE  
:

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


Date: 3-21, 1994

  
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KIRBY WRIGHT, M.D.  
Respondent

Date: \_\_\_\_\_, 1994

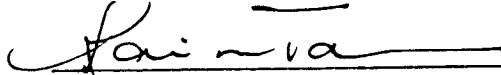
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DORIS TRAUB, ESQ.  
Attorney for Respondent

Date: March 24, 1994

  
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MARCIA E. KAPLAN  
Associate Counsel  
Bureau of Professional  
Medical Conduct

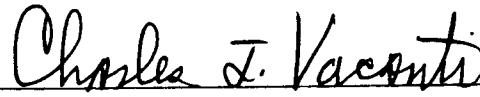
KIRBY WRIGHT, M.D.

Date: April 6, 1994



KATHLEEN M. TANNER  
Director  
Office of Professional  
Medical Conduct

Date: 1 April 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  
KIRBY WRIGHT, M.D. : CHARGES  
-----X

KIRBY WRIGHT, M.D., the Respondent, was authorized to practice medicine in New York State on August 13, 1976 by the issuance of license number 128070 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, 1993 through December 31, 1994.

FIRST SPECIFICATION

HAVING BEEN CONVICTED OF  
AN ACT CONSTITUTING A CRIME  
UNDER NEW YORK STATE LAW

Respondent is charged with professional misconduct within the meaning of N.Y. Educ. Law Sec. 6530(9)(a)(i) (McKinney Supp. 1994) in that he has been convicted of committing an act constituting a crime under New York State law, specifically:

Exhibit "A"



1. On or about February 23, 1989, the Respondent was convicted after a plea of guilty in the Supreme Court of the State of New York, County of Kings, of Offering a False Instrument for Filing in the Second Degree, a Class A misdemeanor, in violation of Section 175.30 of the Penal Law, in that from on or about March 13, 1987 to on or about March 24, 1987, the Respondent, intending to defraud the State of New York, in the County of Kings, presented a claim for payment under the Medicaid program to Computer Science Corporation, a fiscal agent for the State of New York, which claim contained false statements and information, in that it was claimed that an electrocardiogram, a spirometry examination and an intravenous injection for diagnostic study had been rendered to Medicaid recipient Margaret Brown on March 13, 1987, when Respondent knew that such service had not been provided, and that Respondent offered and presented this false Medicaid claim with the knowledge and belief that it would be filed with and become part of the records of the State and its fiscal agent.

On or about February 23, 1989, the Respondent was sentenced to a \$500 fine.

#### SECOND AND THIRD SPECIFICATIONS

##### **PRACTICING FRAUDULENTLY**

Respondent is charged with professional misconduct within the meaning of N.Y. Educ. Law Sec. 6530(2)(McKinney Supp. 1994) in that he has practiced the profession fraudulently, specifically:

2. On or about October 28, 1991, Respondent submitted an application for reappointment to Kings County Hospital Center in which he stated falsely that he had been certified/recertified by the American Board of Family Practice until 1993 and on or about October 29, 1991, in connection with the same

