



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

New York State Board for Professional Medical Conduct

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

Charles J. Vacanti, M.D.
Chair

April 10, 1996

CERTIFIED MAIL-RETURN RECEIPT REQUESTED

Basilio M. Yap-Chiongco, M.D.
399 Sunwood Drive NW
Salem, Oregon 92304

RE: License No. 089450

Effective Date April 17, 1996

Dear Dr. Yap-Chiongco:

Enclosed please find Order #BPMC 96-79 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 Vacanti, M.D.
Chair
Board for Professional Medical Conduct

Enclosure

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

IN THE MATTER
OF
BASILIO M. YAP-CHIONGCO, M.D.

SURRENDER
ORDER

BPMC #96-79

Upon the Application of BASILIO M. YAP-CHIONGCO, M.D. (Respondent) to Surrender his/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 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: April 9, 1996

Charles J. Vacanti, M.D.
for CHARLES J. VACANTI, M.D.
Chairperson
State Board for Professional
Medical Conduct

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

IN THE MATTER
OF
BASILIO M. YAP-CHIONGCO, M.D.

APPLICATION TO
SURRENDER
LICENSE

STATE OF OREGON)
COUNTY OF SALEM) ss.:

BASILIO M. YAP-CHIONGCO, M.D., being duly sworn, deposes and says:

On or about September 10, 1962, I was licensed to practice medicine as a physician in the State of New York having been issued License No. 089450 by the New York State Education Department.

My current address is 399 Sunwood Drive, N.W., Salem Oregon 92304.

I understand that I have been charged with one (1) specification 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 cannot successfully defend myself against the allegations in the Statement of Charges and agree not to contest the allegations.

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. 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.

Basilio M. Yap-Chiongco M.D.
BASILIO M. YAP-CHIONGCO, M.D.
Respondent

Sworn to before me this
day of 1-30, 1996

Ruth E. Bangert
NOTARY PUBLIC



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

IN THE MATTER
OF
BASILIO M. YAP-CHIONGCO, M.D.

APPLICATION TO
SURRENDER
LICENSE

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

Date: 4/1, 1996

Basilio M. Yap-Chiongco
BASILIO M. YAP-CHIONGCO, M.D.
Respondent

Date: 4/4, 1996

Daniel Guenzburger
DANIEL GUENZBURGER
Assistant Counsel
Bureau of Professional
Medical Conduct

Date: 4/9, 1996

Anne F. Saile
ANNE F. SAILE
Acting Director
Office of Professional Medical Conduct

Date: 4/9, 1996

Charles J. Vacanti, M.D.
for CHARLES J. VACANTI, M.D.
Chairperson
State Board for Professional Medical Conduct

"EXHIBIT A"

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

IN THE MATTER
OF
BASILIO M. YAP-CHIONGCO, M.D.

STATEMENT
OF
CHARGES

BASILIO M. YAP-CHIONGCO, M.D., the Respondent, was authorized to practice medicine in New York State on or about September 10, 1962, by the issuance of license number 089450 by the New York State Education Department.

FACTUAL ALLEGATIONS

- A. On or about August 29, 1994 the California Board of Medical Quality Assurance found that Respondent violated California Business and Professional Code §2234(b)("Gross Negligence") and §2234(c)("Repeated negligent acts") (1992). The BMQA found that Respondent committed gross negligence by failing to monitor electrolytes in a patient who had repeatedly vomited during his post-operative course. The patient had been operated on for bowel obstruction. The BMQA also found that Respondent was negligent for failing to adequately order follow-up x-ray studies. Respondent's medical license was suspended for an indefinite period.

SPECIFICATION OF CHARGES


FIRST SPECIFICATION

HAVING BEEN FOUND GUILTY OF PROFESSIONAL MISCONDUCT

Respondent is charged with committing professional misconduct as defined in N.Y. Educ. Law §6530(9)(b)(McKinney Supp. 1995) by 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 the finding was based would, if committed in New York state, constitute professional misconduct under the laws of New York State (namely N.Y. Educ. Law §6530(3)("Negligence on more than one occasion")(McKinney Supp. 1995) and §6530(4)("Gross negligence on a particular occasion")(McKinney Supp. 1995) as alleged in the facts of the following:

1. The facts in Paragraph A.

DATED: December 19, 1995
New York, New York



ROY NEMERSON
Deputy Counsel
Bureau of Professional
Medical Conduct

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

**IN THE MATTER
OF
BASILIO M. YAP-CHIONGCO, M.D.**

**SURRENDER
ORDER**

BPMC #96-79

Upon the Application of BASILIO M. YAP-CHIONGCO, M.D. (Respondent) to Surrender his/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 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: April 9, 1996

Matthew P. Reed, MD
for CHARLES J. VACANTI, M.D.
Chairperson
State Board for Professional
Medical Conduct

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

IN THE MATTER
OF
BASILIO M. YAP-CHIONGCO, M.D.

APPLICATION TO
SURRENDER
LICENSE

STATE OF OREGON)
COUNTY OF SALEM) ss.:

BASILIO M. YAP-CHIONGCO, M.D., being duly sworn, deposes and says:

On or about September 10, 1962, I was licensed to practice medicine as a physician in the State of New York having been issued License No. 089450 by the New York State Education Department.

My current address is 399 Sunwood Drive, N.W., Salem Oregon 92304.

I understand that I have been charged with one (1) specification 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 cannot successfully defend myself against the allegations in the Statement of Charges and agree not to contest the allegations.

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. 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.

Basilio M. Yap-Chiongco M.D.
BASILIO M. YAP-CHIONGCO, M.D.
Respondent

Sworn to before me this
day of 1-30, 1996

Ruth E. Bangert
NOTARY PUBLIC

