



New York State Board for Professional Medical Conduct

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

Antonia C. Novello, M.D., M.P.H., Dr. P.H.
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NYS Department of Health*

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*Executive Deputy Commissioner
NYS Department of Health*

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Office of Professional Medical Conduct

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Vice Chair

Ansel R. Marks, M.D., J.D.
Executive Secretary

September 12, 2001

CERTIFIED MAIL-RETURN RECEIPT REQUESTED

Daniel J. Hauser, M.D.
4107 North 48th Terrace
Hollywood, FL 33021

RE: License No. 143948

Dear Dr. Hauser:

Enclosed please find Order #BPMC 01-208 of the New York State Board for Professional Medical Conduct. This Order and any penalty provided therein goes into effect September 12, 2001.

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 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: Robert Bogan, Esq.

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

IN THE MATTER

OF

**DANIEL J. HAUSER, M.D.
CO-01-02-0734-A**

SURRENDER

ORDER

BPMC No. 01-208

DANIEL J. HAUSER, M.D., says:

On or about October 24, 1980, I was licensed to practice medicine as a physician in the State of New York having been issued License No. 143948 by the New York State Education Department. I currently reside at 4107 North 48th Terrace, Hollywood, FL 33021.

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 the New York State Board for Professional Medical Conduct has charged me 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 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, agree not to contest the one (1) specification 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 Board grants my Application, as set forth herein, an order of the Chairperson of the Board shall be issued in accordance with same upon issuance by the Board, which may be accomplished by mailing, by first class mail, a copy of the Order to me at the address set forth above or upon transmission via facsimile to me, whichever is first.


I am making this agreement of my own free will and accord and not under duress, compulsion or restraint of any kind or manner.

Date: August 22, 2001



DANIEL J. HAUSER, M.D.
Respondent

AGREED TO:

Date: 30 August, 2001


ROBERT BOGAN
Associate Counsel
Bureau of Professional Medical
Conduct

Date: 8/31, 2001


DENNIS J. GRAZIANO
Director, Office of Professional
Medical Conduct

STATE OF NEW YORK

DEPARTMENT OF HEALTH

STATE BOARD FOR PROFESSIONAL MEDICAL CONDUCT

IN THE MATTER
OF
DANIEL J. HAUSER, M.D.
CO-01-02-0734-A

STATEMENT
OF
CHARGES

DANIEL J. HAUSER, M.D., the Respondent, was authorized to practice medicine in New York state on October 24, 1980, by the issuance of license number 143948 by the New York State Education Department.

FACTUAL ALLEGATIONS

A. On or about December 13, 2000, the State of Florida, Board of Medicine, (hereinafter, "Florida Board"), by a Final Order (hereinafter "Florida Order"), REPRIMANDED Respondent, required him to complete ten (10) hours of CME in the area of Interpretation of Radiographs, fined him \$2,500.00, and required him to pay \$900.00 costs, based on his failure to practice medicine with that level of care, skill, and treatment which is recognized by a reasonably prudent physician as being acceptable under similar conditions and circumstances, in that he failed to provide minimally acceptable treatment and adequate treatment to a patient in his care.

B. The conduct resulting in the Florida Board's disciplinary action against Respondent would constitute misconduct under the laws of New York state, pursuant to the following sections of New York state Law:

1. New York Education Law §6530(3) (negligence on more than one occasion);
and/or
2. New York Education Law §6530(30) (abandoning or neglecting a patient in need of immediate professional care).

SPECIFICATION

Respondent violated New York Education Law §6530(9)(d) by having had 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 disciplinary action would constitute professional misconduct under the laws New York state, in that Petitioner charges:

1. The facts in paragraphs A and/or B.

DATED: *August 27*, 2001
Albany, New York

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

ORDER


Upon the proposed agreement of **DANIEL J. HAUSER, 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 the Respondent be stricken from the roster of physicians in the State of New York; 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 to Respondent at the addresses set forth in this agreement or to Respondent's attorney or upon transmission via facsimile to Respondent or Respondent's attorney, whichever is earliest.

DATED: 9/10, 2001


WILLIAM P. DILLON, M.D.
Chair
State Board for Professional
Medical Conduct