



**New York State Board for Professional Medical Conduct**

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

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*NYS Department of Health*

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*NYS Department of Health*

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*Vice Chair*

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

November 21, 2001

***CERTIFIED MAIL-RETURN RECEIPT REQUESTED***

Richard Jonah Rose, M.D.  
2999 NW 191 Street  
Suite 705  
Aventura, FL 33180

RE: License No. 095043

Dear Dr. Rose:

Enclosed please find Order #BPMC 01-284 of the New York State Board for Professional Medical Conduct. This Order and any penalty provided therein goes into effect November 21, 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

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**IN THE MATTER**

**SURRENDER**

**OF**

**ORDER**

**RICHARD JONAH ROSE, M.D.  
CO-01-08-4153-A**

BPMC No. 01-284

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**RICHARD JONAH ROSE, M.D.** says:

On or about July 30, 1965, I was licensed to practice medicine as a physician in the State of New York having been issued License No. 095043 by the New York State Education Department. I currently reside at 2999 NW 191 Street, Suite 705, Aventura, FL 33180.

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).

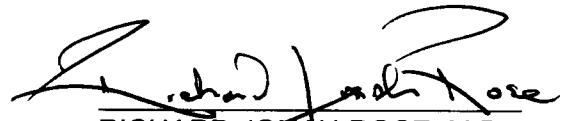
I understand that in the event that this proposed agreement is not granted by the State Board for Professional Medical Conduct, nothing contained herein shall be binding upon me or construed to be an admission of any act of misconduct alleged or charged against me, such proposed agreement shall not be 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 to my attorney or upon transmission via facsimile to me or my attorney, whichever is first.

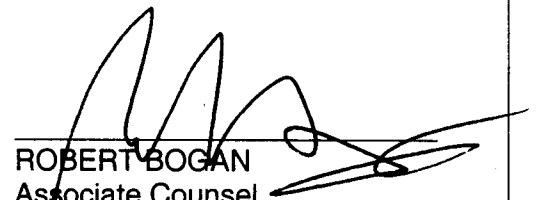
I am making this agreement of my own free will and accord and not under duress, compulsion or restraint of any kind or manner.

Date: 11/9, 2001


  
RICHARD JONAH ROSE, M.D.  
Respondent

AGREED TO:

Date: 15 November, 2001

  
ROBERT BOGAN  
Associate Counsel  
Bureau of Professional Medical  
Conduct

Date: 16 November, 2001

  
DENNIS J. GRAZIANO  
Director, Office of Professional  
Medical Conduct

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

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IN THE MATTER  
OF  
RICHARD JONAH ROSE, M.D.  
CO-01-08-4153-A

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STATEMENT  
OF  
CHARGES

RICHARD JONAH ROSE, M.D., the Respondent, was authorized to practice medicine in New York state on July 30, 1965, by the issuance of license number 095043 by New York State Education Department.

**FACTUAL ALLEGATIONS**

A. On or about June 20, 2001, the State of Florida, Board of Medicine (hereinafter "Florida Board"), by a Final Order (hereinafter "Florida Order"), reprimanded Respondent, fined him \$5,000.00, assessed him \$15,000.00 costs of investigation, placed him on two (2) years probation, with conditions, based on his failure to practice medicine with that level of care, skill, and treatment which is recognized as being acceptable and inadequate recordkeeping.

B. The conduct resulting in the Florida Board 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);
  2. New York Education Law §6530(4) (gross negligence);
  3. New York Education Law §6530(5) (incompetence on more than one occasion);
- and/or
4. New York Education Law §6530(32) (recordkeeping).

**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: *Nov. 13*, 2001  
Albany, New York

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

**ORDER**

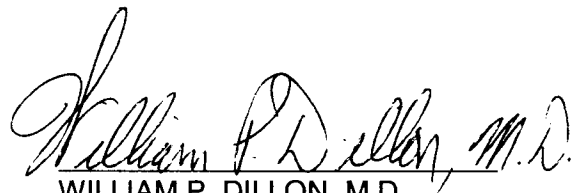
Upon the proposed agreement of **RICHARD JONAH ROSE, M.D.**, to Surrender his license as a physician in the State of New York, which proposed agreement is made a part hereof, it is AGREED TO and

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: 11/20, 2001



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