



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*

Dennis P. Whalen
*Executive Deputy Commissioner
NYS Department of Health*

Dennis J. Graziano, Director
Office of Professional Medical Conduct

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Vice Chair

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

January 17, 2002

CERTIFIED MAIL-RETURN RECEIPT REQUESTED

Bruce DeSimon DeMonterice, M.D.
680 East Cotati Avenue
Cotati, CA 94931

RE: License No. 099828

Dear Dr. DeMonterice:

Enclosed please find Order #BPMC 02-6 of the New York State Board for Professional Medical Conduct. This Order and any penalty provided therein goes into effect January 17, 2002.

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

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

IN THE MATTER

SURRENDER

OF

ORDER BPMC No. 02-6

BRUCE DE SIMON DE MONTERICE, M.D., aka ANU DE MONTERICE, M.D.
CO-01-10-5033-A

BRUCE DE SIMON DE MONTERICE, M.D., aka ANU DE MONTERICE, M.D., says:

On or about September 14, 1967, I was licensed to practice medicine as a physician in the State of New York having been issued License No. 099828 by the New York State Education Department. I currently reside at 680 East Cotati Avenue, Cotati, CA 94931.

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 of manner.

Date: 12/30, 2001

Anu de Monterice
BRUCE DE SIMON DE MONTERICE, M.D.
aka ANU DE MONTERICE, M.D.
Respondent

AGREED TO:

Date: 3 January, 2002 ¹³

Robert Bogan
ROBERT BOGAN
Associate Counsel
Bureau of Professional Medical
Conduct

Date: 7 January, 2002 ¹⁴

Dennis J. Graziano
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
BRUCE DE SIMON DE MONTERICE, M.D.,
aka ANU DE MONTERICE, M.D.
CO-01-10-5033-A

STATEMENT
OF
CHARGES

BRUCE DE SIMON DE MONTERICE, M.D., aka ANU DE MONTERICE, M.D., the Respondent, was authorized to practice medicine in New York state on September 14, 1967, by the issuance of license number 099828 by the New York State Education Department.

FACTUAL ALLEGATIONS

A. On or about April 27, 2001, the Division of Medical Quality, Medical Board of California, Department of Consumer Affairs (hereinafter "California Board"), by a Decision (hereinafter "California Decision"), accepted the surrender of Respondent's Physician's and Surgeon's Certificate, based on repeated negligent acts, incompetence, prescribing without good faith prior examination and medical indication therefor, prescribing controlled substances for other than legitimate purpose, and violation of drug laws.

B. The conduct resulting in the California 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);
4. New York Education Law §6530(6) (gross incompetence);
5. New York Education Law §6530(20) (moral unfitness); and/or


6. New York Education Law §6530(32) (inadequate recordkeeping).

SPECIFICATION

Respondent violated New York State Education Law §6530 (9)(d) by having surrendered his license or having other disciplinary action taken after a disciplinary action was initiated by a duly authorized professional disciplinary agency of another state, where the conduct resulting in the surrender or other disciplinary action would, if committed in New York state, constitute professional misconduct under the laws of New York state, in that Petitioner charges:

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

DATED: *Nov. 29*, 2001
Albany, New York


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

ORDER

Upon the proposed agreement of **BRUCE DE SIMON DE MONTERICE, M.D., aka ANU DE MONTERICE, 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

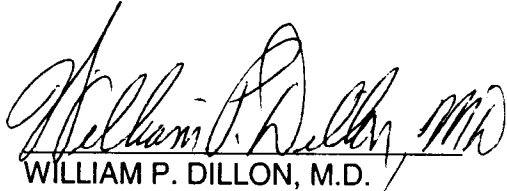
ORDERED, that this Order shall be effective upon issuance by the Board, which may be accomplished by mailing, by first class mail, a copy to Respondent at the addresses set forth in this agreement or to Respondent's attorney or upon transmission via facsimile to Respondent or Respondent's attorney, whichever is earliest.

DATED: _____

1/15

2002
~~2001~~

WPD



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