



***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*

August 8, 2002

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

Carlos A. Santos, M.D.  
960 Center Road  
West Seneca, New York 14424

RE: License No. 160163

Dear Dr. Santos:

Enclosed please find Order #BPMC 02-245 of the New York State Board for Professional Medical Conduct. This Order and any penalty provided therein goes into effect August 8, 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

cc: Cornelius D. Murray, Esq.  
O'Connell and Aronowitz  
100 State Street  
Albany, New York 12207-1885

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

**IN THE MATTER**  
**OF**  
**CARLOS A. SANTOS, M.D.**

CONSENT  
AGREEMENT  
AND  
ORDER

BPMC No. 02-245

STATE OF NEW YORK )  
 )ss.:  
COUNTY OF ERIE )

**CARLOS A. SANTOS, M.D.** (Respondent) being duly sworn, deposes and says:

That on or about December 31, 1984, I was licensed to practice as a physician in the State of New York, having been issued License No. 160163 by the New York State Education Department.

My current address is 960 Center Road, West Seneca, NY 14424. I will advise the Director of the Office of Professional Medical Conduct of any change of my address.

I am the subject of Consent Agreement and Order BPMC 99-125, effective June 10, 1999, by which, among other terms and conditions, I was placed on probation for six years.

I understand that the New York State Board for Professional Medical Conduct has charged me with one specification of professional misconduct. A copy of the Statement of Charges is annexed hereto, made a part hereof, and marked as Exhibit A.

I do not contest the Specification of the Statement of Charges.

I agree to the following penalty:

I shall be Censured and Reprimanded.

The period of probation imposed by Consent Agreement and Order BPMC 99-125 shall be extended for two years under the same terms and conditions.

I further agree that the Consent Order for which I hereby apply shall impose the following conditions:

That, except during periods of actual suspension, Respondent shall maintain current registration of his license with the New York State Education Department Division of Professional Licensing Services, and pay all registration fees. This condition shall be in effect beginning thirty days after the effective date of this order and will continue while the licensee possesses his/her license; and

That Respondent shall cooperate in every respect with the Office of Professional Medical Conduct (OPMC) in its administration and enforcement of this order and in its investigation of all matters regarding Respondent. Respondent shall respond in a timely manner to each and every request by OPMC to provide written periodic verification of Respondent's compliance with the terms of this order. Respondent shall meet with a person designated by the Director of OPMC as directed. Respondent shall respond promptly and provide any and all documents and information within Respondent's control upon the direction of OPMC. This condition shall be in effect beginning upon the effective date of the order and will continue while the licensee possesses his/her license.

I stipulate that any failure by me to comply with such conditions shall constitute misconduct as defined by New York State Education Law §6530(29).

I agree that in the event I am charged with professional misconduct in the future, this agreement and order shall be admitted into evidence in that proceeding.

I make this application to the State Board for Professional Medical Conduct (the Board) and request that it be granted.

I understand that, in the event that this application is not granted by the Board, 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. Denial of this application by the Board shall be made without prejudice to the continuance of any disciplinary proceeding and the final determination by the Board 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. I agree that the order shall be effective 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 in this agreement, or to my attorney, or upon transmission via facsimile to me or my attorney, whichever is earliest.

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 order for which I hereby apply, whether administratively or judicially, and ask that the application be granted.


AFFIRMED: 7/22

DATED , 2002

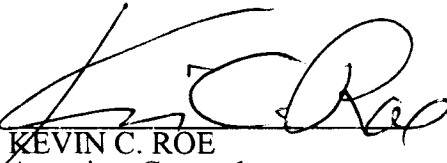
  
CARLOS A. SANTOS, M.D.  
Respondent

The undersigned agree to the attached application of the Respondent and to the proposed penalty based on the terms and conditions thereof.


DATE: 7/29 ,2002

  
CORNELIUS D. MURRAY, ESQ.  
Attorney for Respondent

DATE: 7/31 .2002

  
KEVIN C. ROE  
Associate Counsel  
Bureau of Professional  
Medical Conduct

DATE: 8/05 ,2002

  
DENNIS J. GRAZIANO  
Director  
Office of Professional  
Medical Conduct

IN THE MATTER  
OF  
CARLOS A. SANTOS, M.D.

CONSENT  
ORDER


Upon the proposed agreement of **CARLOS A. SANTOS, M.D.** for Consent Order, which application is made a part hereof, it is agreed to and

ORDERED, that the application and the provisions thereof are hereby adopted, and 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 of the Consent Order to Respondent at the address set forth in this application or to Respondent's attorney by certified mail, or upon transmission via facsimile to Respondent or Respondent's attorney, whichever is earliest.

SO ORDERED.

DATED: 8/7, 2002

  
WILLIAM P. DILLON, M.D.  
Chair  
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  
CARLOS A. SANTOS, M.D. : CHARGES

-----X

CARLOS A. SANTOS, M.D., the Respondent, was authorized to practice medicine in New York State on December 31, 1984, by the issuance of license 160163 by the New York State Education Department.

**FACTUAL ALLEGATION**

A. From on or about July of 1990 to on or about June of 1993, Respondent engaged in a consensual sexual relationship with a patient.

**SPECIFICATION**

Respondent is charged with conduct in the practice of medicine which evidences moral unfitness to practice medicine in violation of New York Education Law §6530(20), in that Petitioner charges the facts in Paragraph A.

DATED: *July 31*, 2002

Albany, New York

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