



STATE OF NEW YORK  
DEPARTMENT OF HEALTH

433 River Street, Suite 303

Troy, New York 12180-2299

Antonia C. Novello, M.D., M.P.H., Dr.P.H.  
Commissioner

Dennis P. Whalen  
Executive Deputy Commissioner

PUBLIC

March 10, 2003

**CERTIFIED MAIL - RETURN RECEIPT REQUESTED**

Robert Bogan, Esq.  
Paul Robert Maher, Esq.  
NYS Department of Health  
Hedley Park Place  
433 River Street – 4<sup>th</sup> Floor  
Troy, New York 12180

Miles James Jones, M.D.  
1704 SE 11<sup>th</sup> Avenue  
Lee's Summit, Missouri 64081

Miles James Jones, M.D.  
P.O. Box 1251  
Clayton, Georgia 30525

Miles James Jones, M.D.  
Physician's Laboratory  
2511 Highway 441N  
Clayton, Georgia 30525

**RE: In the Matter of Miles James Jones, M.D.**

Dear Parties:

Enclosed please find the Determination and Order (No. 03-64) of the Hearing Committee in the above referenced matter. This Determination and Order shall be deemed effective upon the receipt or seven (7) days after mailing by certified mail as per the provisions of §230, subdivision 10, paragraph (h) of the New York State Public Health Law.

Five days after receipt of this Order, you will be required to deliver to the Board of Professional Medical Conduct your license to practice medicine together with the registration certificate. Delivery shall be by either certified mail or in person to:

Office of Professional Medical Conduct  
New York State Department of Health  
Hedley Park Place  
433 River Street - Fourth Floor  
Troy, New York 12180

If your license or registration certificate is lost, misplaced or its whereabouts is otherwise unknown, you shall submit an affidavit to that effect. If subsequently you locate the requested items, they must then be delivered to the Office of Professional Medical Conduct in the manner noted above.

As prescribed by the New York State Public Health Law §230, subdivision 10, paragraph (i), and §230-c subdivisions 1 through 5, (McKinney Supp. 1992), "the determination of a committee on professional medical conduct may be reviewed by the Administrative Review Board for professional medical conduct." Either the licensee or the Department may seek a review of a committee determination.

Request for review of the Committee's determination by the Administrative Review Board stays penalties other than suspension or revocation until final determination by that Board. Summary orders are not stayed by Administrative Review Board reviews.

All notices of review must be served, by certified mail, upon the Administrative Review Board and the adverse party within fourteen (14) days of service and receipt of the enclosed Determination and Order.

The notice of review served on the Administrative Review Board should be forwarded to:

James F. Horan, Esq., Administrative Law Judge  
New York State Department of Health  
Bureau of Adjudication  
Hedley Park Place  
433 River Street, Fifth Floor  
Troy, New York 12180

The parties shall have 30 days from the notice of appeal in which to file their briefs to the Administrative Review Board. Six copies of all papers must also be sent to the attention of Mr. Horan at the above address and one copy to the other party. The stipulated record in this matter shall consist of the official hearing transcript(s) and all documents in evidence.

Parties will be notified by mail of the Administrative Review Board's Determination and Order.

Sincerely,

A handwritten signature in black ink, appearing to read "Tyrone T. Butler". The signature is written in a cursive style with a large initial "T".

Tyrone T. Butler, Director  
Bureau of Adjudication

TTB:cah  
Enclosure

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

COPY

IN THE MATTER  
OF  
MILES JAMES JONES, M.D.

DETERMINATION

AND

ORDER

BPMC #03--64

A hearing was held on February 19, 2003, at the offices of the New York State Department of Health ("the Petitioner"). A Notice of Hearing and an Amended Statement of Charges, both dated January 14, 2003, were issued against the Respondent, **Miles James Jones, M.D.** **Joel H. Paull, D.D.S., M.D., J.D.**, Chairperson, **Teresa S. Briggs, M.D., Ph.D.**, and **James P. Milstein, J.D.**, duly designated members of the State Board for Professional Medical Conduct, served as the Hearing Committee in this matter pursuant to Section 230(10)(e) of the Public Health Law. **John Wiley, Esq.**, Administrative Law Judge, served as the Administrative Officer.

The Petitioner appeared by **Donald P. Berens, Jr., Esq.**, General Counsel, by **Robert Bogan, Esq.**, and **Paul Robert Maher, Esq.**, of Counsel. The Respondent did not appear at the hearing, either in person or by counsel.

Evidence was received and transcripts of these proceedings were made.

After consideration of the entire record, the Hearing Committee issues this Determination and Order.

**STATEMENT OF CASE**

This case was brought pursuant to Public Health Law Section 230(10), which establishes procedures for bringing charges of professional medical misconduct against a

physician and for conducting an administrative hearing to resolve such charges. In the instant case, the Respondent is charged with professional misconduct pursuant to Education Law Section 6530(2), 6530(9)(b), 6530(9)(d) and 6530(20). Copies of the Notice of Hearing and the Amended Statement of Charges are attached to this Determination and Order as Appendix 1.

### **WITNESSES**

For the Petitioner: None

For the Respondent: None

### **FINDINGS OF FACT**

The following Findings of Fact were made after a review of the entire record in this matter. Numbers below in parentheses refer to exhibits, denoted by the prefix "Ex." These citations refer to evidence found persuasive by the Hearing Committee in arriving at a particular finding. Conflicting evidence, if any, was considered and rejected in favor of the cited evidence. All Hearing Committee findings were unanimous.

1. Miles James Jones, M.D., the Respondent, was authorized to practice medicine in New York State on December 12, 1983, by the issuance of license number 156937 by the New York State Education Department (Petitioner's Ex. 4).

2. On November 20, 2001, the North Dakota Board of Medical Examiners ("North Dakota Board") prepared a Complaint ("North Dakota Complaint") against the Respondent, charging him with professional medical misconduct (Petitioner's Ex. 5)

3. On March 9, 2002, the North Dakota Complaint was personally served on the Respondent (Petitioner's Ex. 6).

4. On May 22, 2002, the North Dakota Board prepared a Recommended Findings of Fact, Conclusions of Law and Order ("North Dakota Recommended Order")

that found the Respondent guilty of professional medical misconduct and recommended that his license to practice medicine be revoked (Petitioner's Ex. 7).

5. On July 26, 2002, the North Dakota Board, by an Order ("North Dakota Order"), adopted the North Dakota Recommended Order and revoked the Respondent's license to practice, based on writing prescriptions for patients over the Internet without examining the patient or obtaining all pertinent information from the patient, and engaging in the performance of dishonorable, unethical or unprofessional conduct that is likely to deceive, defraud or harm the public (Petitioner's Ex. 8).

6. On September 20, 2001, the Wisconsin Medical Examining Board ("Wisconsin Board") prepared a Complaint ("Wisconsin Complaint I") charging the Respondent with professional medical misconduct (Petitioner's Ex. 9).

7. On October 4, 2001, the Wisconsin Board served Wisconsin Complaint I on the Respondent (Petitioner's Ex. 10).

8. On April 9, 2002, the Wisconsin Board prepared a Second Amended Complaint ("Wisconsin Complaint II") charging him with professional medical misconduct (Petitioner's Ex. 11).

9. Wisconsin Complaint II was served on the Respondent (Petitioner's Ex. 12).

10. On January 8, 2003, the Wisconsin Board, by a Final Decision and Order ("Wisconsin Order"), revoked the Respondent's license to practice medicine, based on numerous instances of prescribing prescription drugs to patients with whom he did not have a valid physician-patient relationship and without informing them of alternate viable medical modes of treatment, failing to respond to repeated inquiries and subpoenas by the Wisconsin Board, and failing, in concert with a pharmacy, to include labeling with prescription drugs which contained adequate directions for use (Petitioner's Ex. 12).

11. On November 2, 2001, the Pennsylvania Department of State, State Board of Medicine ("Pennsylvania Board"), prepared an Order to Show Cause ("Pennsylvania Order") charging the Respondent with professional medical misconduct (Petitioner's Ex. 13).

12. On November 2, 2001, the Pennsylvania Board prepared a Notice ("Pennsylvania Notice") advising the Respondent of the Pennsylvania Order (Petitioner's Ex. 14).

13. On November 9, 2001, the Pennsylvania Board served the Pennsylvania Order and the Pennsylvania Notice on the Respondent (Petitioner's Ex. 15).

14. On June 13, 2002, the Respondent prepared, signed and submitted a Medical Staff application to North General Hospital in New York, New York, wherein he falsely answered "No" to the questions, "Has your license or registration to practice medicine, dentistry or any other Licensed/Certified or Registered profession in any jurisdiction ever been, or are they in the process of being denied, revoked, suspended, reduced, or not renewed?" and "Are there any ongoing proceedings in any jurisdiction to have your license or registration to practice medicine, dentistry or any other medical profession denied, revoked, suspended, reduced or not renewed?" Attached to this application was a Release of Liability, prepared, signed and submitted by the Respondent, that stated in part, "I also agree to immediately notify the Hospital of any investigations, challenges, or disciplinary proceedings commenced against me by any state licensure authority...All information that I have submitted in my application is true to the best of my knowledge and belief." (Petitioner's Ex. 16).

## HEARING COMMITTEE CONCLUSIONS

The Hearing Committee concludes that the conduct of the Respondent described in the North Dakota Order would constitute professional misconduct under the laws of New York State, had the conduct occurred in New York State, pursuant to:

- New York Education Law Section 6530(2) - "Practicing the profession fraudulently or beyond its authorized scope;"
- New York Education Law Section 6530(3) - "Practicing the profession with negligence on more than one occasion;"
- New York Education Law Section 6530(4) - "Practicing the profession with gross negligence on a particular occasion;"
- New York Education Law Section 6530(20) - "Conduct in the practice of medicine which evidences moral unfitness to practice medicine;"
- New York Education Law Section 6530(24) - "Practicing or offering to practice beyond the scope permitted by law...;" and
- New York Education Law Section 6530(32) - "Failing to maintain a record for each patient which accurately reflects the evaluation and treatment of the patient. Unless otherwise provided by law, all patient records must be retained for at least six years. Obstetrical records and records of minor patients must be retained for at least six years, and until one year after the minor patient reaches the age of eighteen years;..."

The Hearing Committee concludes that the conduct of the Respondent described in the Wisconsin Order would constitute professional misconduct under the laws of New York State, had the conduct occurred in New York State, pursuant to:

- New York Education Law Section 6530(2) - "Practicing the profession fraudulently or beyond its authorized scope;"

- New York Education Law Section 6530(3) - "Practicing the profession with negligence on more than one occasion;"
- New York Education Law Section 6530(4) - "Practicing the profession with gross negligence on a particular occasion;"
- New York Education Law Section 6530(16) - "A willful or grossly negligent failure to comply with substantial provisions of federal, state or local laws, rules, or regulations governing the practice of medicine;"
- New York Education Law Section 6530(20) - "Conduct in the practice of medicine which evidences moral unfitness to practice medicine;" and
- New York Education Law Section 6530(24) - "Practicing or offering to practice beyond the scope permitted by law..."

### **VOTE OF THE HEARING COMMITTEE**

#### **FIRST AND SECOND SPECIFICATIONS**

"Respondent violated New York Education Law Section 6530(9)(b) 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..."

**VOTE: Sustained (3-0)**

#### **THIRD AND FOURTH SPECIFICATIONS**

"Respondent violated New York Education Law Section 6530(9)(d) by having his license to practice medicine revoked or having other disciplinary action taken by a duly authorized professional disciplinary agency of another state, where the conduct resulting in the revocation or other disciplinary action would, if committed in New York state, constitute professional misconduct under the laws of New York state..."

VOTE: Sustained (3-0)

#### FIFTH SPECIFICATION

"Respondent violated New York Education Law Section 6530(2) by practicing the profession fraudulently..."

VOTE: Sustained (3-0)

#### SIXTH SPECIFICATION

"Respondent violated New York Education Law Section 6530(20) by conduct in the practice of medicine which evidences moral unfitness..."

VOTE: Sustained (3-0)

#### HEARING COMMITTEE DETERMINATION

The Respondent did not appear at the hearing. Petitioner's Exhibits 2 and 3 demonstrate the Petitioner's efforts to serve the Respondent with the papers for this hearing. The Administrative Law Judge ruled during the hearing that the service was legally sufficient (Public Health Law Section 230[10][d]) and that the hearing could proceed.

The documentary evidence regarding the North Dakota Board's findings in the North Dakota Order and the Wisconsin Board's findings in the Wisconsin Order leaves no doubt that the Respondent is in the business of writing prescriptions for anyone requesting a prescription over the Internet. Such prescriptions are provided despite the fact that the Respondent has never established a genuine physician-patient relationship with any of these patients. He has never met or physically examined any of them. Practicing medicine in such a manner is fraudulent, grossly negligent and evidence of moral unfitness to practice.

Despite the existence of the disciplinary proceedings initiated by the North Dakota Board, the Wisconsin Board and the Pennsylvania Board, the Respondent answered in

the negative on the North General Hospital application questions about the existence of disciplinary actions in other states. These answers justify findings of practicing the profession fraudulently and moral unfitness.

Since the Respondent did not appear at the hearing, the hearing record contains no evidence of mitigation, rehabilitation, remorse, or anything else that might be helpful to the Respondent's case. The Petitioner recommended that the Respondent's license to practice medicine be revoked. That recommendation will be adopted.

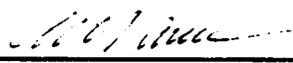
**ORDER**

**IT IS HEREBY ORDERED THAT:**

1. The Respondent's license to practice medicine is revoked.
2. This Order shall be effective upon personal service on the Respondent, upon service on the Respondent by certified or registered mail, or upon satisfaction of the requirements of Public Health Law Section 230(10)(h).

**DATED: Eggertsville, New York**

March 6, 2003

  
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**Joel H. Paul, D.D.S., M.D., J.D.**  
**Chairperson**

**Teresa S. Briggs, M.D., Ph.D.**  
**James P. Milstein, J.D.**

# **APPENDIX I**

ORIGINAL



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

-----X

IN THE MATTER : NOTICE  
OF : OF  
MILES JAMES JONES, M.D. : HEARING  
CO-02-09-4579-A, CO-02-09-4647-A

-----X

TO: MILES JAMES JONES, M.D.  
1704 SE 11<sup>th</sup> Avenue  
Lee's Summit, MO 64081

MILES JAMES JONES, M.D.  
Physician's Laboratory  
2511 Highway 441N  
Clayton, GA 30525

MILES JAMES JONES, M.D.  
P.O. Box 1251  
Clayton, GA 30525

**PLEASE TAKE NOTICE:**

A hearing will be held pursuant to the provisions of N.Y. Pub. Health Law Section 230 and N.Y. State Admin. Proc. Act Sections 301-307 and 401. The hearing will be conducted before a committee on professional conduct of the State Board for Professional Medical Conduct on the 19<sup>th</sup> of February 2003, at 10:00 in the forenoon of that day at the Hedley Park Place, 5th Floor, 433 River Street, Troy, New York, 12180 and at such other adjourned dates, times and places as the committee may direct.

At the hearing, evidence will be received concerning the allegations set forth in the Statement of Charges, that is attached. A stenographic record of the hearing will be made and the witnesses at the hearing will be sworn and examined. You shall appear in person at the hearing and may be represented by counsel. You have the right to produce witnesses and evidence on your behalf, to issue or have subpoenas issued on your behalf in

order to require the production of witnesses and documents and you may cross-examine witnesses and examine evidence produced against you. A summary of the Department of Health Hearing Rules is enclosed.

The hearing will proceed whether or not you appear at the hearing. Please note that requests for adjournments must be made in writing and by telephone to the Bureau of Adjudication, Hedley Park Place, 5th Floor, 433 River Street, Troy, New York 12180, (518-402-0748), upon notice to the attorney for the Department of Health whose name appears below, and at least five(5) days prior to the scheduled hearing date. Adjournment requests are not routinely granted as scheduled dates are considered dates certain. Claims of court engagement will require detailed Affidavits of Actual Engagement. Claims of illness will require medical documentation.

Pursuant to the provisions of N.Y. Pub. Health Law Section 230(10)(c), you shall file a written answer to each of the Charges and Allegations in the Statement of Charges no later than ten(10) days prior to the date of the hearing. Any Charge and Allegation not so answered shall be deemed admitted. You may wish to seek the advice of counsel prior to filing such answer. The answer shall be filed with the Bureau of Adjudication, at the address indicated above, and a copy shall be forwarded to the attorney for the Department of Health whose name appears below. Pursuant to Section 301(5) of the State Administrative Procedure Act, the Department, upon reasonable notice, will provide at no charge a qualified interpreter of the deaf to interpret the proceedings to, and the testimony of, any deaf person.

At the conclusion of the hearing, the committee shall make findings of fact, conclusions concerning the charges sustained or dismissed, and, in the event any of the charges are sustained, a determination of the penalty to be imposed or appropriate action to be taken. Such determination may be reviewed by the administrative review board for professional medical conduct.

THESE PROCEEDINGS MAY RESULT IN A DETERMINATION THAT YOUR LICENSE TO PRACTICE MEDICINE IN NEW YORK STATE BE REVOKED OR SUSPENDED, AND/OR THAT YOU BE FINED OR SUBJECT TO THE OTHER SANCTIONS SET OUT IN NEW YORK PUBLIC HEALTH LAW SECTION 230-a. YOU ARE URGED TO OBTAIN AN ATTORNEY TO REPRESENT YOU IN THIS MATTER.

DATED: Albany, New York

*January 14, 2003*

  
PETER D. VAN BUREN  
Deputy Counsel

Inquiries should be directed to:

Robert Bogan  
Associate Counsel  
Division of Legal Affairs  
Bureau of Professional  
Medical Conduct  
433 River Street-Suite 303  
Troy, New York 12180  
(518) 402-0828

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

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IN THE MATTER  
OF  
MILES JAMES JONES, M.D.  
CO-02-09-4579-A; CO-02-09-4647-A

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AMENDED  
STATEMENT  
OF  
CHARGES

MILES JAMES JONES, M.D., the Respondent, was authorized to practice medicine in New York state on December 12, 1983, by the issuance of license number 156937 by the New York State Education Department.

**FACTUAL ALLEGATIONS**

A. On or about November 20, 2001, the State of North Dakota, Board of Medical Examiners, (hereinafter "North Dakota Board"), prepared a Complaint (hereinafter "North Dakota Complaint"), against the Respondent charging him with professional medical misconduct.

B. On or about March 9, 2002, the North Dakota Complaint, described in Paragraph A above, was personally served on Respondent.

C. On or about May 22, 2002, the North Dakota Board prepared a Recommended Findings of Fact, Conclusions of Law and Order, (hereinafter "North Dakota Recommended Order"), that, based on the North Dakota Complaint described in Paragraphs A and B above, found Respondent guilty of professional medical misconduct and recommended that his license to practice medicine be revoked.

D. On or about July 26, 2002, North Dakota Board, by an Order (hereinafter "North Dakota Order"), adopted the North Dakota Recommended Order described in Paragraph C above, and REVOKED Respondent's license to practice, based on writing prescriptions for

patients over the Internet without examining the patient or obtaining all appropriate information from the patient, engaging in a continuing pattern of inappropriate care for patients, and engaging in the performance of dishonorable, unethical or unprofessional conduct that is likely to deceive, defraud or harm the public.

E. The conduct resulting in the North Dakota Board disciplinary actions 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(2) (practicing the profession fraudulently or beyond its authorized scope);
2. New York Education Law §6530(3) (negligence on more than one occasion);
3. New York Education Law §6530(4) (gross negligence);
4. New York Education Law §6530(20) (moral unfitness);
5. New York Education Law §6530(26) (practicing beyond the scope permitted by law); and/or
6. New York Education Law §6530(32) (failing to maintain a record for each patient that accurately reflects the evaluation and treatment of the patient).

F. On or about September 20, 2001, the State of Wisconsin, Medical Examining Board (hereinafter "Wisconsin Board"), prepared a Complaint (hereinafter "Wisconsin Complaint I"), charging Respondent with professional medical misconduct.

G. On or about October 4, 2001, the Wisconsin Board served Wisconsin Complaint I, described in Paragraph F above, on Respondent.

H. On or about April 9, 2002, the Wisconsin Board, prepared and served upon Respondent a Second Amended Complaint (hereinafter "Wisconsin Complaint II"), charging him with professional medical conduct.

I. On or about January 8, 2003, the Wisconsin Board, by a Final Decision and Order, revoked Respondent's license to practice medicine and surgery, based on on numerous occasions prescribing prescription drugs to patients with whom he did not have a valid physician-patient relationship and without informing them of alternate viable medical modes of

treatment and benefits and risks of those treatments, failing to respond to repeated inquires and subpoenas by the Wisconsin Board, and failing in concert with a pharmacy, to include labeling with prescription drugs which contained adequate direction for use.

J. The conduct resulting in the Wisconsin 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(2) (practicing the profession fraudulently or beyond its authorized scope);
2. New York Education Law §6530(3) (negligence on more than one occasion);
3. New York Education Law §6530(4) (gross negligence);
4. New York Education Law §6530(16) (willful or grossly negligent failure to comply with substantial provisions of federal, state, or local laws, rules or regulations governing the practice of medicine);
5. New York Education Law §6530(20) (moral unfitness); and/or
6. New York Education Law §6530(24) (practicing beyond the scope permitted by law).

K. On or about November 2, 2001, the Commonwealth of Pennsylvania, Department of State, State Board of Medicine (hereinafter "Pennsylvania Board"), prepared an Order to Show Cause (hereinafter "Pennsylvania Order"), charging Respondent with professional medical misconduct.

L. On or about November 5, 2001, the Pennsylvania Board prepared a Notice advising Respondent of the Pennsylvania Order described in Paragraph I above.

M. On or about November 5, 2001, the Pennsylvania Board served the Pennsylvania Order and Notice described in Paragraphs I and J above on Respondent.

N. On or about June 13, 2002, Respondent prepared, signed, and submitted a "Medical Staff Application" to North General Hospital wherein he falsely answered "No" to the questions, "Has your license or registration to practice medicine, dentistry or any other Licensed/Certified or Registered profession in any jurisdiction ever been, or are they in the

process of being denied, revoked, suspended, reduced, or not renewed?" and "Are there any ongoing proceedings in any jurisdiction to have your license or registration to practice medicine, dentistry or any other medical profession denied, revoked, suspended, reduced or not renewed?" and prepared, signed, and submitted a "Release of Liability" that stated in part, "I, also agree to immediately notify the Hospital of any investigations, challenges, or disciplinary proceedings commenced against me by any state licensure authority, registration authority (state or district, Drug Enforcement Administration ...;" the final sentence on that form states in part, " ALL INFORMATION THAT I HAVE SUBMITTED IN MY APPLICATION IS TRUE TO THE BEST OF MY KNOWLEDGE AND BELIEF."

### **SPECIFICATIONS**

#### **FIRST AND SECOND SPECIFICATIONS**

Respondent violated New York Education Law §6530(9)(b) 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, in that Petitioner charges:

1. The facts in Paragraphs A, B, C, D, and/or E; and/or
2. The facts in Paragraphs F,G, H, I, and/or J.

#### **THIRD AND FOURTH SPECIFICATIONS**

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

3. The facts in Paragraphs A, B, C, D, and/or E; and/or
4. The facts in Paragraphs F, G, H, I, and/or J.

**FIFTH SPECIFICATION**

Respondent violated New York Education Law §6530(2) by practicing the profession fraudulently, in that Petitioner charges:

5. The facts in Paragraphs A, B, C, F, G, H, K, L, M, and/or N.

**SIXTH SPECIFICATION**

Respondent violated New York Education Law §6530(20) by conduct in the practice of medicine which evidences moral unfitness, in that Petitioner charges:

6. The facts in Paragraphs A, B, C, F, G, H, K, L, M, and/or N.

DATED: *Jan* 14, 2003  
Albany, New York

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