



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*

Dennis J. Graziano, Director
Office of Professional Medical Conduct

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Michael A. Gonzalez, R.P.A.
Vice Chair

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

PUBLIC

May 28, 2003

CERTIFIED MAIL-RETURN RECEIPT REQUESTED

Yonah J. Hamlet, M.D.
36 Causeway
Lawrence, NY 11559

RE: License No. 134709

Dear Dr. Hamlet:

Enclosed please find Order #BPMC 03-137 of the New York State Board for Professional Medical Conduct. This Order and any penalty provided therein goes into effect June 4, 2003.

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: Ralph A. Erbaio, Esq.
Hoffman, Einiger & Polland, PLLC
220 East 42st Street
Suite 435
New York, NY 10017

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

IN THE MATTER
OF
YONAH J. HAMLET, M.D.

CONSENT
ORDER
BPMC No. 03-137


Upon the proposed agreement of YONAH J. HAMLET, M.D., (Respondent) for Consent Order, which application is made a part hereof, it is agreed and

ORDERED, that the application and the provisions thereof are hereby adopted and so ORDERED, 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 agreement 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: 5-27-03


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

IN THE MATTER
OF
YONAH J. HAMLET, M.D.
CO-03-01-0026-A

CONSENT
AGREEMENT
AND ORDER

YONAH J. HAMLET, M.D., (Respondent) being duly sworn deposes and says:

That on or about July 1, 1978, I was licensed to practice as a special assistant in the State of New York, having been issued License No. 134709 by the New York State Education Department.

My current address is 36 Causeway, Lawrence, NY 11559, and I will advise the Director of the Office of Professional Medical Conduct of any change of my address.

I understand that the New York State Board of Professional Medical Conduct has charged me with one (1) specification of professional misconduct.

A copy of the Statement of Charges is annexed hereto, made a part hereof, and marked as Exhibit "A."

I agree not to contest the one (1) specification, in full satisfaction of the charges against me, and hereby agree to the following penalty:

Censure and Reprimand.

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 Respondent's 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 The Consent Order and will continue while the licensee possess his/her license; and

That Respondent shall fully 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 Consent Order and will continue while the licensee possesses his/her license.

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

I, hereby, 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

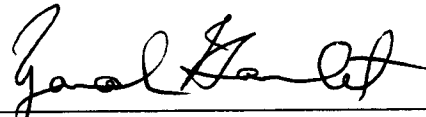
misconduct disciplinary proceeding; and such denial by the Board shall be made without prejudice to the continuance of any disciplinary proceeding and the final determination by the Board pursuant to the provisions of the Public Health Law.

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 such 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 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 Consent Order for which I hereby apply, whether administratively or judicially, and ask that the Application be granted.

AFFIRMED:

DATED: 5/16/03



YONAH J. HAMLET, 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: 19 May 2003



ROBERT BOGAN
Associate Counsel
Bureau of Professional Medical Conduct

DATE: 23 May 2003



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
YONAH J. HAMLET, M.D.
CO-03-01-0026-A

STATEMENT
OF
CHARGES

YONAH J. HAMLET, M.D., the Respondent, was authorized to practice medicine in New York state on July 1, 1978, by the issuance of license number 134709 by the New York State Education Department.

FACTUAL ALLEGATIONS

A. On or about July 5, 2000, the State of New York, Department of Health, by an Order, pursuant to a proceeding under New York Public Health Law §2803(d), found Respondent guilty of Patient Abuse and Patient Neglect, and imposed a \$1,000.00 civil penalty.

B. The conduct resulting in the New York State Commissioner of Health's Order would constitute professional misconduct under the laws of New York state, pursuant to the following sections of New York state law:


1. New York Education Law §6530(31) (willfully harassing, abusing, or intimidating a patient).

SPECIFICATION

Respondent violated New York Education Law §6530(9)(c) by having been found guilty in an adjudicating proceeding of violating a state or federal statute or regulation, pursuant to a final decision or determination, and when no appeal is pending, and when the violation would constitute professional misconduct pursuant to Education Law §6530, in that Petitioner charges:

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

DATED: *March 10*, 2003
Albany, New York


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