



***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*

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

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

**PUBLIC**

November 28, 2003

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

Michael Katz, M.D.  
4605 South Ocean Blvd.  
Apt. 8D  
Highland Beach, FL 33487

Re: License No. 164591

Dear Dr. Katz:

Enclosed please find Order #BPMC 03-331 of the New York State Board for Professional Medical Conduct. This order and any penalty provided therein goes into effect December 5, 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 the 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: John N. Tasolides, Esq.  
350 Jericho Turnpike  
Jericho, NY 11753

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

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**IN THE MATTER**

**SURRENDER**

**OF**

**ORDER**

**MICHAEL KATZ, M.D.  
CO-02-12-6275-A**

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BPMC No. 03-331

**MICHAEL KATZ, M.D., says:**

On or about October 30, 1985, I was licensed to practice medicine as a physician in the State of New York having been issued License No. 164591 by the New York State Education Department. I currently reside at 4605 South Ocean Blvd, Apt. 8D, Highland Beach, FL 33487.

I am 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 agree, hereby, not to contest Factual Allegations A, B, C, D, and E(7) and 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.

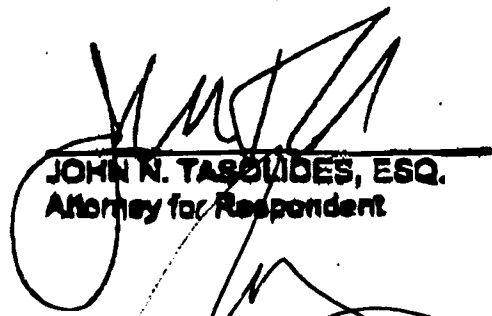
I am making this agreement of my own free will and accord and not under duress, compulsion or restraint of any kind of manner.

Date: 11/18/03 2003

  
MICHAEL KATZ, M.D.  
Respondent

AGREED TO:


Date: Nov. 18 2003

  
JOHN N. TASOULIDES, ESQ.  
Attorney for Respondent

Date: 20 November 2003

  
ROBERT BOGAN  
Associate Counsel  
Bureau of Professional Medical Conduct

Date: 21 November 2003

  
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

MICHAEL KATZ, M.D.  
CO-02-12-6275-A

STATEMENT

OF

CHARGES

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**MICHAEL KATZ, M.D.**, the Respondent, was authorized to practice medicine in New York state on October 30, 1985, by the issuance of license number 164591 by the New York State Education Department.

**FACTUAL ALLEGATIONS**

A. On or about September 28, 2000, the State of New Jersey, Department of Law & Public Safety, division of Consumer Affairs, Board of Medical Examiners (hereinafter "New Jersey Board"), by a Verified Complaint (hereinafter "New Jersey Complaint 1"), charged Respondent with Fraudulent Alteration of Professional Medical Report, False Representation of Professional Office Address, Failure to Truthfully Report Professional Practice Address and Affiliations to the New Jersey Board, and False Representation of Professional Specialist Credentials.

B. On or about November 27, 2000, the New Jersey Board, by an Amended Complaint (hereinafter "New Jersey Complaint 2"), charged Respondent with Diagnostic Testing Reports Rendered on Deficient MRI Studies, Diagnostic MRI Testing Studies Missing Significant Abnormalities, Pattern of Reports of Non-Existent Abnormalities, Failure to Produce Subpoenaed Patient Records, and Medically Implausible MRI Report.

C. On or about December 29, 2000, the New Jersey Medical Board, by a Second Amended Complaint (Hereinafter New Jersey Complaint 3"), charged Respondent with Submission for Billing for Diagnostically Invalid Tests, Submission of False and Deceptive CPT Codes in Billing for Diagnostically Invalid Tests and Other Billing Deceptions, and Sham Management Arrangements to Divert or Disguise Professional Revenue.

D. On or about December 3, 2003, the New Jersey Board, by a final Order (hereinafter "New Jersey Order"), by a Final Order (hereinafter "New Jersey Order"), wherein Respondent "neither admits nor denies any of the allegations of the (New Jersey) Complaint as twice amended," as set forth in Paragraphs A, B, and C above, accepted the surrender of Respondent's license to practice medicine, deemed a revocation and assessed \$75,000.00 investigative costs, attorney fees, and civil penalty.

E. The conduct set forth in New Jersey Complaints 1, 2, and 3 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);
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(5) (incompetence on more than one occasion);
5. New York Education Law §6530(6) (gross incompetence);
6. New York Education Law §6530(20) (moral unfitness); and/or
7. New York Education Law §6530(32) (failure to maintain a record for each patient which accurately reflects the evaluation and treatment of the patient).

#### SPECIFICATION

Respondent violated New York Education Law §6530(9)(d) by surrendering his license to practice medicine, deemed a revocation, or having other 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 license surrender deemed a 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:

1. The facts in Paragraphs A B, C, D, and/or E.

DATED: *Nov. 18*, 2003  
Albany, New York

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

**ORDER**

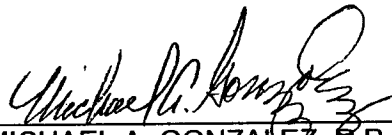
Upon the proposed agreement of **MICHAEL KATZ, M.D.**, to Surrender his license as a physician in the State of New York, which proposed agreement is made a part hereof, it is AGREED TO and

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: 11/24/03, 2003

  
MICHAEL A. GONZALEZ, R.P.A.  
Vice Chair  
State Board for Professional  
Medical Conduct