



New York State Board for Professional Medical Conduct

433 River Street, Suite 303 • Troy, New York 12180-2299 • (518) 402-0863

Richard F. Daines, M.D.
Commissioner
NYS Department of Health

Keith W. Servis
Director
Office of Professional Medical Conduct

Public

Kendrick A. Sears, M.D.
Chair

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

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

August 8, 2007

CERTIFIED MAIL-RETURN RECEIPT REQUESTED

Peter J. Sochocki, R.P.A.
203 Windsor Drive
Syracuse, NY 13214-1626

Re: License No. 001522

Dear Mr. Sochocki:

Enclosed is a copy of Order #BPMC 07-168 of the New York State Board for Professional Medical Conduct. This order and any penalty provided therein goes into effect August 15, 2007.

If the penalty imposed by this Order is a surrender, revocation or suspension, you are required to deliver your license and registration within five (5) days of receipt of this Order. If the document(s) are lost, misplaced or destroyed, you are required to submit to this office an affidavit to that effect. Enclosed for your convenience is an affidavit. Please complete and sign the affidavit before a notary public and return it to: Office of Professional Medical Conduct, New York State Department of Health, 433 River Street, Suite 303, Troy, NY 12180-2299

Sincerely,

Ansel R. Marks, M.D., J.D.
Executive Secretary
Board for Professional Medical Conduct

Enclosure

cc: James D. Lantier, Esq.
Smith, Sovik, Kendrick & Sugnet, P.C.
250 South Clinton Street, Suite 600
Syracuse, NY 13202-1252

IN THE MATTER
OF
PETER SOCHOCKI, R.P.A.

SURRENDER
ORDER

BPMC No. #07-168

Upon the application of (Respondent) PETER SOCHOCKI, R.P.A. to Surrender his license as a physician assistant in the State of New York, which is made a part of this Surrender Order, it is

ORDERED, that the Surrender, and its terms, are adopted and it is further

ORDERED, that Respondent's name be stricken from the roster of physician assistants in the State of New York; it is further


ORDERED, that this Order shall be effective upon issuance by the Board, either

- by mailing of a copy of this Surrender Order, either by first class mail to Respondent at the address in the attached Surrender Application or by certified mail to Respondent's attorney, OR
- upon facsimile transmission to Respondent or Respondent's attorney,

whichever is first.

SO ORDERED.

DATE: 8-6-07


KENDRICK A. SEARS, M.D.
Chair
State Board for Professional Medical Conduct

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

IN THE MATTER
OF
PETER SOCHOCKI, R.P.A.

SURRENDER
of
LICENSE

PETER SOCHOCKI, R.P.A., representing that all of the following statements are true, deposes and says:

That on or about September 19, 1980, I was licensed to practice as a physician assistant in the State of New York and issued License No. 00152~~1~~ by the New York State Education Department.

My current address is 6086 Bay Hill, Jamesville, New York 13078, and I will advise the Director of the Office of Professional Medical Conduct of any change of address.

I understand that the New York State Board for Professional Medical Conduct has charged me with thirteen (13) Specifications of professional misconduct.

A copy of an Amended Statement of Charges, marked as Exhibit A, is attached to and part of this Surrender of License.

I am applying to the State Board for Professional Medical Conduct for permission to surrender my license as a physician assistant in the State of New York on the grounds that I do not contest the Amended Statement of Charges, in full satisfaction of the Charges against me.

I ask the Board to accept the Surrender of my License, and I agree to be bound by all of the terms applicable to me as a physician assistant of the terms set forth in attached Exhibit B.

I understand that if the Board does not accept this Surrender, none of its terms shall bind me or constitute an admission of any of the acts of alleged misconduct; this application shall not be used against me in any way and shall be kept in strict confidence; and the Board's denial shall be without prejudice to the pending disciplinary proceeding and the Board's final determination pursuant to the Public Health Law.

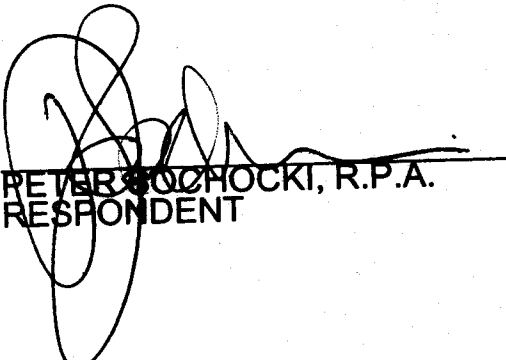
I agree that, if the Board accepts the Surrender of my License, the Chair of the Board shall issue a Surrender Order in accordance with its terms. I agree that this Order shall take effect upon its issuance by the Board, either by mailing of a copy of the Surrender Order by first class mail to me at the address in this Surrender of License, or to my attorney by certified mail, OR upon facsimile transmission to me or my attorney, whichever is first. The Order, this agreement, and all attached Exhibits shall be public documents, with only patient identities, if any, redacted. As public documents, they may be posted on the Department's website.

I ask the Board to accept this Surrender of License, which I submit of my own free will and not under duress, compulsion or restraint. In consideration of the value to me of the Board's acceptance of this Surrender of License, allowing me to resolve this matter without the various risks and burdens of a hearing on the merits, I knowingly waive my right to contest the Surrender Order for which I apply, whether administratively or judicially, and I agree to be bound by the Surrender Order.

I understand and agree that the attorney for the Department, the Director

of the Office of Professional Medical Conduct and the Chair of the State Board for Professional Medical Conduct each retain complete discretion either to enter into the proposed agreement and Order, based upon my application, or to decline to do so. I further understand and agree that no prior or separate written or oral communication can limit that discretion.

DATE 7/30/07



PETER S. CHOCKI, R.P.A.
RESPONDENT

The undersigned agree to Respondent's attached Surrender of License and to its proposed penalty, terms and conditions.

DATE: 7/30/07


JAMES D. LANTIER, ESQ.
Attorney for Respondent

DATE: 7/31/07


CINDY M. FASCIA
Associate Counsel
Bureau of Professional Medical Conduct

DATE: 8/1/07



KEITH W. SERVIS
Director
Office of Professional Medical Conduct

EXHIBIT B

GUIDELINES FOR CLOSING A MEDICAL PRACTICE FOLLOWING A REVOCATION, SURRENDER OR SUSPENSION (of six months or more) OF A MEDICAL LICENSE

1. Respondent shall immediately cease the practice of medicine in compliance with the terms of the Surrender Order. Respondent shall not represent that Respondent is eligible to practice medicine and shall refrain from providing an opinion as to professional practice or its application.
2. Within 15 days of the Surrender Order's effective date, Respondent shall notify all patients that Respondent has ceased the practice of medicine, and shall refer all patients to another licensed practicing physician for their continued care, as appropriate.
3. Within thirty days of the Surrender Order's effective date, Respondent shall deliver Respondent's original license to practice medicine in New York State and current biennial registration to the Office of Professional Medical Conduct (OPMC) at 433 River Street Suite 303, Troy, NY 12180-2299.
4. Respondent shall arrange for the transfer and maintenance of all patient medical records. Within thirty days of the Surrender Order's effective date, Respondent shall notify OPMC of these arrangements, including the name, address, and telephone number of an appropriate contact person, acceptable to the Director of OPMC, who shall have access to these records. Original records shall be retained for patients for at least six years after the last date of service, and, for minors, for at least six years after the last date of service or three years after the patient reaches the age of majority, whichever time period is longer. Records shall be maintained in a safe and secure place that is reasonably accessible to former patients. The arrangements shall ensure that all patient information is kept confidential and is available only to authorized persons. When a patient or authorized representative requests a copy of the patient's medical record, or requests that the original medical record be sent to another health care provider, a copy of the record shall be promptly provided or sent at reasonable cost to the patient (not to exceed 75 cents per page.) Radiographic, sonographic and like materials shall be provided at cost. A qualified person shall not be denied access to patient information solely because of inability to pay.
5. Within 15 days of the Surrender Order's effective date, if Respondent holds a Drug Enforcement Agency (DEA) certificate, Respondent shall advise the DEA in writing of the licensure action and shall surrender Respondent's DEA controlled substance certificate, privileges, and any used DEA #222 U.S. Official Order Forms Schedules 1 and 2, to the DEA.
6. Within 15 days of the Surrender Order's effective date, Respondent shall return any unused New York State official prescription forms to the Bureau of Narcotic Enforcement of the New York State Department of Health. Respondent shall have all prescription pads bearing Respondent's name destroyed. If no other licensee is providing services at Respondent's practice location, Respondent shall dispose of all medications.
7. Within 15 days of the Surrender Order's effective date, Respondent shall remove from the public domain any representation that Respondent is

eligible to practice medicine, including all related signs, advertisements, professional listings whether in telephone directories or otherwise, professional stationery or billings. Respondent shall not share, occupy or use office space in which another licensee provides health care services.

8. Respondent shall not charge, receive or share any fee or distribution of dividends for professional services rendered (by Respondent or others) while barred from practicing medicine. Respondent may receive compensation for the reasonable value of services lawfully rendered, and disbursements incurred on a patient's behalf, prior to the Surrender Order's effective date.
9. If Respondent is a shareholder in any professional service corporation organized to engage in the practice of medicine and Respondent's license is revoked, surrendered or suspended for six months or more pursuant to this Order, Respondent shall, within ninety days of the Order's effective date, divest completely of all financial interest in such professional services corporation in accordance with New York Business Corporation Law. If Respondent is the sole shareholder in a professional services corporation, the corporation must be dissolved or sold within ninety days of the Order's effective date.
10. Failure to comply with the above directives may result in civil or criminal penalties. Practicing medicine when a medical license has been suspended, revoked or annulled is a Class E Felony, punishable by imprisonment for up to four years, under § 6512 of the Education Law. Professional misconduct may result in penalties including revocation of the suspended license and/or fines of up to \$10,000 for each specification of misconduct, under § 230-a of the Public Health Law.

IN THE MATTER
OF
PETER SOCHOCKI, R.P.A.

AMENDED
STATEMENT
OF
CHARGES

Peter Sochocki, R.P.A., Respondent, was authorized to perform medical services as a physician assistant in New York State on or about September 19, 1980, by the issuance of license number 001521 by the New York State Education Department. Respondent is currently registered with the New York State Education Department.

FACTUAL ALLEGATIONS

- A. Respondent provided medical care to Patient A and/or her children at North Medical Family Physicians, Liverpool, New York from approximately 1999 through approximately April 2002.
1. Respondent, during one or more office visits for medical care of Patient A and/or her children, engaged in the following conduct:
 - (i) Respondent, in approximately 2000, after Patient A told him that she had ended her relationship with her children's father, who was also a patient at North Medical, told Patient A she needed to "get out and relax, have a few drinks, get drunk" or words to such effect.
 - (ii) Respondent, during an office visit on or about July 11, 2000, asked Patient A to go out to dinner with him.
 - (iii) Respondent, when Patient A asked if it was okay for them to go out together, told Patient A that it was fine because he wasn't treating her for psychiatric problems, or words to such effect.
 - (iv) Respondent, on or about July 2000, at Patient A's request

performed testing on Patient A for sexually transmitted diseases [STDs]. Respondent, after he had asked Patient A out to dinner, subsequently called Patient A to confirm the date, and told Patient A the results of her STD testing during the same telephone call.

2. Respondent, on more than one occasion between approximately July 2000 and April 2002, had sexual intercourse with Patient A.
 3. Respondent, between approximately July 2000 and April 2002, during a period of time when he was providing medical care to Patient A and/or her children, engaged in an inappropriate relationship with Patient A which included the following conduct:
 - (i) Respondent engaged in personal e-mail correspondence with Patient A.
 - (ii) Respondent engaged in e-mail correspondence of a sexual nature with Patient A.
 - (iii) Respondent took photographs of Patient A when she was nude and/or partially clothed, which photographs had no medical purpose.
 4. Respondent, engaged in unprotected sexual intercourse with Patient A on one or more occasions.
 5. Respondent, on or about April 2002, was asked by one of the physicians at North Medical Family Physicians about Respondent's relationship with Patient A, and whether Respondent had had a sexual relationship with Patient A. Respondent told this physician that he had not had a sexual relationship with Patient A. In fact, Respondent had had a sexual relationship with Patient A, and Respondent knew such fact.
- B. Respondent, on or about October 31, 1995, provided medical care to Patient B in the Emergency Department of Community Memorial Hospital in Hamilton, New York.
1. Respondent permitted a TV news reporter to place and/or attempt to place a suture in Patient B's lacerated thumb.

2. Respondent engaged in the following conduct:

- (i) Respondent encouraged and/or permitted the TV reporter to wear a white lab coat and stethoscope when Respondent and the reporter interacted with and provided medical care to Patient B.
- (ii) Respondent did not identify the TV news reporter as a reporter to Patient B and/or did not tell Patient B that the reporter was not an authorized health care provider prior to Respondent permitting the reporter to place and/or attempt to place a suture in Patient B's thumb.
- (iii) Respondent, in his note in Patient B's medical record, did not document that the news reporter had placed and/or attempted to place a suture in Patient B's thumb.
- (iv) Respondent, in his note in Patient B's medical record, did not indicate that anyone other than Respondent had provided medical care to Patient B; when in fact Respondent had permitted the news reporter to place and/or attempt to place a suture in Patient B's thumb, and Respondent knew such fact.

C. Respondent's employment and/or clinical privileges were terminated by Michael Jastremski, M.D. and/or Community Memorial Hospital on or about December 11, 1995, at an in-person meeting, as a result of Respondent's conduct regarding Patient B. Thereafter, Respondent submitted a registration application dated November 24, 1999, to the New York State Education Department. The application included the following question:

Since you last registered, has any hospital or licensed facility restricted or terminated your professional training, employment, or privileges [?]

- 1. Respondent answered "No," when in fact Respondent's employment and/or clinical privileges were terminated by Michael Jastremski, M.D. and/or Community Memorial Hospital on or about December 11, 1995, and Respondent knew such fact.

D. Respondent submitted a registration application to the New York State

Education Department dated September 28, 2005. The application included the following question:

Are charges pending against you in any jurisdiction for any sort of professional misconduct [?]

1. Respondent answered "No," when in fact charges of professional medical conduct were pending against Respondent in New York, and Respondent knew such fact.

SPECIFICATION OF CHARGES

FIRST SPECIFICATION MORAL UNFITNESS

Respondent is charged with professional misconduct by reason of his committing conduct in the practice of medicine that evidences moral unfitness to practice medicine in violation of New York Education Law § 6530(20), in that Petitioner charges:

1. The facts in Paragraphs A, A.1 and A.1(i) and/or A.1(ii) and/or A.1(iii) and/or A.1(iv), and/or A.2; and/or A.3 and A.3(i) and/or A.3(ii) and/or A.3(iii) and/or A.4 and/or A.5; and/or B.1 and/or B.2 and B.2(i) and/or B.2(ii) and/or B.2(iii) and/or B.2(iv) and/or C and C.1 and/or D and D.1.

SECOND SPECIFICATION HARASSING OR ABUSING A PATIENT

Respondent is charged with professional misconduct by reason of willfully harassing or abusing a patient physically or verbally, in violation of New York Education Law § 6530(31), in that Petitioner charges:

2. The facts in Paragraphs A, A.1 and A.1(i) and/or A.1(ii) and/or A.1(iii) and/or A.1(iv), and/or A.2; and/or A.3 and A.3(i) and/or A.3(ii) and/or A.3(iii) and/or A.4.

THIRD SPECIFICATION
FRAUDULENT PRACTICE

Respondent is charged with professional misconduct by reason of practicing the profession fraudulently, in violation of New York Education Law § 6530(2), in that Petitioner charges:

3. The facts in Paragraph B and B.2(i) and/or B.2(ii) and/or B.2(iii) and/or B.2(iv) and/or C and C.1 and/or D and D.1.

FOURTH SPECIFICATION
WILLFULLY MAKING OR FILING A FALSE REPORT

Respondent is charged with professional misconduct by reason of willfully making or filing a false report, or failing to file a report required by law or by the department of health or the education department, in violation of New York Education Law § 6530(21), in that Petitioner charges:

4. The facts in Paragraphs C and C.1 and/or D and D.1.

FIFTH SPECIFICATION
FAILURE TO MAINTAIN ACCURATE RECORDS

Respondent is charged with professional misconduct by reason of his failing to maintain a record for each patient which accurately reflects the evaluation and treatment of the patient, in violation of New York Education Law § 6530(32), in that Petitioner charges:

5. The facts in Paragraphs B and B.2(iii) and/or B.2(iv).

SIXTH SPECIFICATION
**DELEGATING PROFESSIONAL RESPONSIBILITIES TO AN UNTRAINED/
UNQUALIFIED/ UNLICENSED PERSON**

Respondent is charged with professional misconduct by reason of his delegating professional responsibilities to a person when the licensee delegating such responsibilities knows or has reason to know that such person is not qualified, by training, by experience, or by licensure, to perform them, in violation of New York

Education Law §6530(25), in that Petitioner charges:

6. The facts in Paragraph B and B.1 and/or B.2(i) and/or B.2(ii).

SEVENTH SPECIFICATION
PERMITTING, AIDING OR ABETTING AN UNLICENSED PERSON TO
PERFORM ACTIVITIES REQUIRING A LICENSE

Respondent is charged with professional misconduct by reason of his permitting, aiding or abetting an unlicensed person to perform activities requiring a license, in violation of New York Education Law §6530(11), in that Petitioner charges:

7. The facts in Paragraph B and B.1 and/or B.2(i) and/or B.2(ii).

EIGHTH AND NINTH SPECIFICATIONS
GROSS NEGLIGENCE

Respondent is charged with committing professional misconduct by reason of practicing the profession with gross negligence on a particular occasion in violation of New York Education Law § 6530(4), in that Petitioner charges:

8. The facts in Paragraphs B and B.1 and/or B.2 and B.2(i) and/or B.2(ii).
9. The facts in Paragraphs A, A.1 and A.1(i) and/or A.1(ii) and/or A.1(iii) and/or A.1(iv), and/or A.2; and/or A.3 and A.3(i) and/or A.3(ii) and/or A.3(iii); and/or A.4; and/or A.5.

TENTH AND ELEVENTH SPECIFICATIONS
GROSS INCOMPETENCE

Respondent is charged with committing professional misconduct by reason of practicing the profession with gross incompetence, in violation of New York Education Law § 6530(6), in that Petitioner charges:

10. The facts in Paragraphs B and B.1 and/or B.2(i) and/or B.2(ii).
11. The facts in Paragraphs A, A.1 and A.1(i) and/or A.1(ii) and/or A.1(iii) and/or A.1(iv), and/or A.2; and/or A.3 and A.3(i) and/or A.3(ii) and/or

A.3(iii); and/or A.4; and/or A.5.

TWELFTH SPECIFICATION
NEGLIGENCE ON MORE THAN ONE OCCASION

Respondent is charged with committing professional misconduct by reason of practicing the profession with negligence on more than one occasion, in violation of New York Education Law § 6530(3), in that Petitioner charges two or more of the following:


12. The facts in Paragraphs A, A.1 and A.1(i) and/or A.1(ii) and/or A.1(iii) and/or A.1(iv), and/or A.2; and/or A.3 and A.3(i) and/or A.3(ii) and/or A.3(iii); and/or B.1 and/or B.2 and B.2(i) and/or B.2(ii) and/or B.2(iii) and/or B.2(iv).

THIRTEENTH SPECIFICATION
INCOMPETENCE ON MORE THAN ONE OCCASION

Respondent is charged with committing professional misconduct by reason of practicing the profession with incompetence on more than one occasion, in violation of New York Education Law § 6530(5), in that Petitioner charges two or more of the following:

13. The facts in Paragraphs A, A.1 and A.1(i) and/or A.1(ii) and/or A.1(iii) and/or A.1(iv), and/or A.2; and/or A.3 and A.3(i) and/or A.3(ii) and/or A.3(iii); and/or B.1 and/or B.2 and B.2(i) and/or B.2(ii) and/or B.2(iii) and/or B.2(iv).

DATED: July 31, 2007
Albany, New York


Peter D. Van Buren
Deputy Counsel
Bureau of Professional
Medical Conduct