



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.
*Commissioner
NYS Department of Health*

Dennis P. Whalen
*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

July 12, 2004

CERTIFIED MAIL-RETURN RECEIPT REQUESTED

Mark C. Walker, M.D.
4512 NW 74th Terrace
Ocala, FL 34482

Re: License No. 213585

Dear Dr. Walker:

Enclosed please find Order #BPMC 04-153 of the New York State Board for Professional Medical Conduct. This order and any penalty provided therein goes into effect July 19, 2004.

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: Amy T. Kulb, Esq.
Jacobson and Goldberg, LLP
585 Stewart Avenue
Garden City, New York 11530

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

IN THE MATTER

OF

**MARK C. WALKER, M.D.
CO-04-01-0175-A**

SURRENDER

ORDER

BPMC No. 04-153

MARK C. WALKER, M.D., says:

On or about April 6, 1999, I was licensed to practice medicine as a physician in the State of New York having been issued License No. 213585 by the New York State Education Department. I currently reside at 4512 NW 74th Terrace, Ocala, FL 34482.

I am not 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, hereby, agree not to contest 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

STATE OF NEW YORK

DEPARTMENT OF HEALTH

STATE BOARD FOR PROFESSIONAL MEDICAL CONDUCT

IN THE MATTER

OF

MARK C. WALKER, M.D.
CO-04-01-0175-A

STATEMENT

OF

CHARGES

MARK C. WALKER, M.D., the Respondent, was authorized to practice medicine in New York state on April 6, 1999, by the issuance of license number 213585 by the New York State Education Department.

FACTUAL ALLEGATIONS

A. On or about October 27, 2002, the State of Florida, Department of Health, Board of Medicine (hereinafter "Florida Board"), by a Notice of Intent to Deny Licensure, Denied Respondent's application for licensure as a physician, which application he was allowed to withdraw, based on boundary issues and chemical dependency issues prior to 1999.

B. The conduct resulting in the Florida 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(8) (by being dependent on or an habitual user of drugs); and/or
2. New York Education Law §6530(17) (exercising undue influence on a patient).

SPECIFICATION

Respondent violated New York Education Law §6530(9)(d) by having his application for a license refused by a duly authorized professional disciplinary agency of another state, where the conduct resulting in the license refusal 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 and/or B.

DATED: *June 17*, 2004
Albany, New York

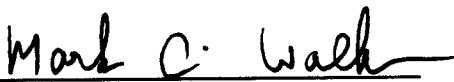

PETER D. VAN BUREN
Deputy Counsel
Bureau of Professional Medical Conduct

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: 7/1, 2004

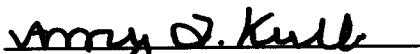

MARK C. WALKER, M.D.
Respondent

AGREED TO:

Date: 07/06, 2004


ROBERT BOGAN
Associate Counsel
Bureau of Professional Medical Conduct

Date: 6-29, 2004


AMY T. KULB
Attorney for Respondent

Date: 7/07, 2004


DENNIS J. GRAZIANO
Director, Office of Professional
Medical Conduct

ORDER

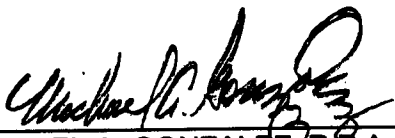
Upon the proposed agreement of **MARK C. WALKER, M.D.**, to Surrender his license as a physician in the State of New York, which proposed agreement is made a part hereof, it is **AGREED TO** and

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: 1/9, 2004


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