



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*

Dennis P. Whalen
*Executive Deputy Commissioner
NYS Department of Health*

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Office of Professional Medical Conduct

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Vice Chair

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

Public

July 8, 2005

CERTIFIED MAIL-RETURN RECEIPT REQUESTED

Queenie T.U.C. Sabal, P.A.
693 N. El Dorado Drive
Gilbert, AZ 85233

Re: License No. 004304

Dear Ms. Sabal:

Enclosed is a copy of Order #BPMC 05-139 of the New York State Board for Professional Medical Conduct. This order and any penalty provided therein goes into effect July 15, 2005.

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: Timothy J. Ryan, Esq.
Begam, Lewis, Marks & Wolfe
111 West Monroe Street, Suite 1400
Phoenix, AZ 85003

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

IN THE MATTER

OF

**QUEENIE T.U.C. SABAL, P.A.
CO-05-04-1808-A**

SURRENDER

ORDER

BPMC No. 05-139

QUEENIE T.U.C. SABAL, P.A., says:

On or about June 6, 1992, I was licensed to practice medicine as a Physician Assistant in the State of New York having been issued License No. 004304 by the New York State Education Department. I currently reside at 693 N. El Dorado Drive, Gilbert, AZ 85233.

I am currently registered with the New York State Education Department to practice as a Physician Assistant in the State of New York.

I understand that the New York State Board for Professional Medical Conduct has charged me with two (2) specifications 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 Assistant in the State of New York and request that the Board issue this Surrender Order.

I have not practiced medicine in New York as a Physician Assistant, for at least 10 years and I do not intend to return to practice medicine as a Physician Assistant in the State of New York. I, therefore, agree, hereby, not to contest Factual Allegations A and B(5) and the Second 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 or manner.

Date: 06/15, 2005

AGREED TO:

Date: 06/27, 2005

Date: 01 July, 2005

Date: 7/5, 2005

Queenie T.U.C. Sabal
QUEENIE T.U.C. SABAL, P.A.
Respondent

Timothy J. Ryan
TIMOTHY J. RYAN
Attorney for Respondent

Robert Bogan
ROBERT BOGAN
Associate Counsel
Bureau of Professional Medical
Conduct

Dennis J. Graziano
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
QUEENIE T.U.C. SABAL, P.A.
CO-05-04-1808-A**

**STATEMENT
OF
CHARGES**

QUEENIE T.U.C. SABAL, P.A., the Respondent, was authorized to practice medicine as a Physician Assistant in New York state on June 6, 1992, by the issuance of license number 004304 by the New York State Education Department.

FACTUAL ALLEGATIONS

A. On or about March 18, 1998, the Joint Board on the Regulation of Physician's Assistant's of the State of Arizona (hereinafter "Arizona Board"), by a Findings of Fact, Conclusions of Law and Order or Probation (hereinafter "Arizona Order"), placed Respondent on one (1) year probation on terms and conditions that include, inter alia, that she complete a 120 hour CME course in the area of primary care, based on conduct or practice which is harmful or dangerous to the health of a patient or the public and failing or refusing to maintain adequate records on a patient.

B. The conduct resulting in the Arizona 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(3) (negligence on more than one occasion);
2. New York Education Law §6530(4) (gross negligence);
3. New York Education Law §6530(5) (incompetence on more than one occasion);
4. New York Education Law §6530(6) (gross incompetence); and/or
5. New York Education Law §6530(32) (failure to maintain a record for each patient which accurately reflects the evaluation and treatment of the patient).

SPECIFICATIONS
FIRST SPECIFICATION

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:

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

SECOND SPECIFICATION

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

2. The facts in Paragraphs A and/or B.

DATED: *May 24*, 2005
Albany, New York



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

ORDER

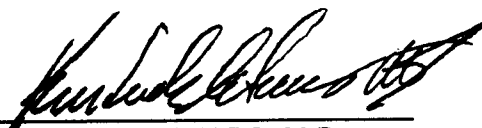
Upon the proposed agreement of **QUEENIE T.U.C. SABAL, P.A.**, to Surrender her license as a Physician Assistant in the State of New York, which proposed agreement is made a part hereof, it is AGREED TO and

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 Assistants 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: July 7, 2005


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