



New York State Board for Professional Medical Conduct

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

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NYS Department of Health*

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NYS Department of Health*

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Office of Professional Medical Conduct

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

Public

July 11, 2005

CERTIFIED MAIL-RETURN RECEIPT REQUESTED

Leena P. Weiss, M.D.
816 Brookstone Drive
Merritt Island, FL 32952

Re: License No. 162252

Dear Dr. Weiss:

Enclosed is a copy of Order #BPMC 05-140 of the New York State Board for Professional Medical Conduct. This order and any penalty provided therein goes into effect July 18, 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

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

IN THE MATTER

SURRENDER

OF

ORDER

**LEENA P. WEISS, M.D.
CO-05-02-0867-A**

BPMC # 05-140

LEENA P. WEISS, M.D., says:

On or about May 24, 1985, I was licensed to practice medicine as a physician in the State of New York having been issued License No. 162252 by the New York State Education Department. I currently reside at 816 Brookstone Drive, Merritt Island, FL 32952.

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 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 in the State of New York and request that the Board issue this Surrender Order.

I, hereby, agree not to contest the two (2) specifications set forth in the Statement of Charges (Exhibit A).

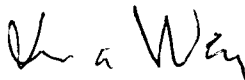
I understand that in the event that this proposed agreement is not granted by the State Board for Professional Medical Conduct, nothing contained herein shall be binding upon me or construed to be an admission of any act of misconduct alleged or charged against me, such proposed agreement shall not be 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.

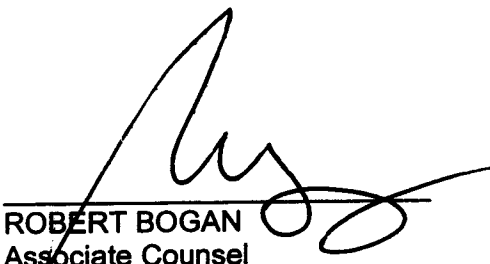
I am making this agreement of my own free will and accord and not under duress, compulsion or restraint of any kind of manner.

Date: 7/4/05, 2005

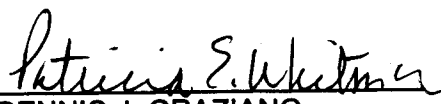

LEENA P. WEISS, M.D.
Respondent

AGREED TO:

Date: 06 July 2005


ROBERT BOGAN
Associate Counsel
Bureau of Professional Medical Conduct

Date: 7/7, 2005


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

**LEENA P. WEISS, M.D.
CO-05-02-0867-A**

STATEMENT

OF

CHARGES

LEENA P. WEISS, M.D., the Respondent, was authorized to practice medicine in New York state on May 24, 1985, by the issuance of license number 162252 by the New York State Education Department.

FACTUAL ALLEGATIONS

A. On or about March 30, 2001, in the County Court, Brevard County, Florida, Respondent was found guilty, based on a plea of nolo contendere, of Driving Under the Influence, a misdemeanor, and was sentenced to twelve (12) months probation, \$546.50 fines and fees, fifty (50) hours of community service or \$500.00, a ten (10) day vehicle impoundment, and a six (6) month license revocation.

B. On or about December 20, 2004, the State of Florida, Board of Medicine (hereinafter "Florida Board"), by a Final Order (hereinafter "Florida Order"), accepted Respondent's voluntary relinquishment of license to practice medicine, based on being unable to practice medicine with reasonable skill and safety to patients by reason of illness or use of alcohol, drugs, narcotics, and/or chemicals.

C. 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) (being a habitual abuser of alcohol, or being dependent on or a habitual use or narcotics, barbiturates, amphetamines, hallucinogens, or other drugs having similar effects).

SPECIFICATIONS
FIRST SPECIFICATION

Respondent violated New York Education Law §6530(9)(a)(iii) by being convicted of committing an act constituting a crime under the law of another jurisdiction and which, if committed within this state, would have constituted a crime under New York state law, in that Petitioner charges:

1. The facts in Paragraph A.

SECOND SPECIFICATION

Respondent violated New York Education Law §6530(9)(d) by having voluntarily or otherwise surrendered her license to practice medicine after a disciplinary action was instituted by a duly authorized professional disciplinary agency of another state, where the conduct resulting in the surrender 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 B and/or C.

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


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

ORDER


Upon the proposed agreement of **LEENA P. WEISS, 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: 7-8, 2005


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