



New York State Board for Professional Medical Conduct

433 River Street, Suite 303 • Troy, New York 12180-2299 • (518) 402-1863

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NYS Department of Health*

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NYS Department of Health*

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

Public

December 14, 2005

CERTIFIED MAIL-RETURN RECEIPT REQUESTED

Alberado Vazquez Lacano, M.D.
6901 N. Tropical lane
Merritt Island, Florida 32953-7212

Re: License No. 113535

Dear Dr. Lacano:

Enclosed is a copy of Order #BPMC 05-286 of the New York State Board for Professional Medical Conduct. This order and any penalty provided therein goes into effect December 21, 2005.

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 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: Richard E. Ramsey, Esq.
Wicker, Smith, O'Hara, McCoy, Graham & Ford, P.A.
Bank of America Tower, Suite 2700
50 North Laura Street
Jacksonville, Florida 32202

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

IN THE MATTER

OF

ABELARDO VAZQUEZ LACANO, M.D.
CO-05-09-4806-A

CONSENT

AGREEMENT

AND ORDER

BPMC No. 05-286

ABELARDO VAZQUEZ LACANO, M.D., (Respondent) representing that all of the following statements are true, deposes and says:

That on or about August 1, 1972, I was licensed to practice as a physician in the State of New York, and issued License No. 113535 by the New York State Education Department.

My current address is 6901 N. Tropical Lane, Merritt Island, FL 32953-7212.

I understand that the New York State Board for Professional Medical Conduct has charged me with two (2) specifications of professional misconduct, based solely upon the State of Florida, Board of Medicine, August 19, 2005, Final Order.

A copy of the Statement of Charges, marked as Exhibit "A", is attached to and part of this Consent Agreement.

I have not practiced medicine in New York State since 1972, and I do not intend to return to practice medicine in the State of New York, I, therefore, do not contest Factual Allegations A and B(2) and the two (2) Specifications, in full satisfaction of the charges against me, and agree to the following penalty:

I shall never activate my registration to practice medicine in New York state or seek to reapply for a license to practice medicine in New York state.

I further agree that the Consent Order shall impose the following conditions:

That Respondent shall cooperate fully with the Office of Professional Medical Conduct (OPMC) in its administration and enforcement of this Order and in its investigations of matters concerning Respondent. Respondent shall respond in a timely manner to all OPMC requests for written periodic verification of Respondent's compliance with this Order. Respondent shall meet with a person designated by the Director of OPMC, as directed. Respondent shall respond promptly and provide all documents and information within Respondent's control, as directed. This condition shall take effect upon the Board's issuance of the Consent Order and will continue so long as Respondent remains licensed in New York State.

I stipulate that my failure to comply with any conditions of this Order shall constitute misconduct as defined by New York State Education Law §6530(29).

I agree that if I am charged with professional misconduct in the future, this Consent Agreement and Order shall be admitted into evidence in that proceeding.

I ask the Board to adopt this Consent Agreement.

I understand that if the Board does not adopt this Consent Agreement, none of its terms shall bind me or constitute an admission of any of the acts of alleged misconduct; this Consent Agreement 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 adopts this Consent Agreement, the Chair of the Board shall issue a Consent 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 Consent Order by first class mail to me at the address in this Consent Agreement, 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.

I stipulate that the proposed sanction and Order are authorized by Public Health Law Sections 230 and 230-a and that the Board for Professional Medical Conduct and the Office of Professional Medical Conduct have the requisite powers to carry out all included terms. I ask the Board to adopt this Consent Agreement of my own free will and not under duress, compulsion or restraint. In consideration of the value to me of the Board's adoption of this Consent Agreement, 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 Consent Order for which I apply, whether administratively or judicially, I agree to be bound by the Consent Order, and ask the Board to adopt this Consent Agreement.

AFFIRMED:

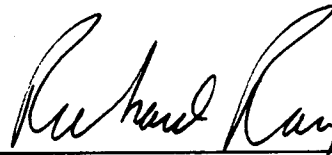
DATED: 12/6/05



ABELARDO VAZQUEZ LACANO, M.D.
Respondent

The undersigned agree to Respondent's attached Consent Agreement and to its proposed penalty, terms and conditions.

DATE: 12/5/05



RICHARD E. RAMSEY
Attorney for Respondent

DATE: 07 Dec 2005



ROBERT BOGAN
Associate Counsel
Bureau of Professional Medical Conduct

DATE: 13 December 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

ABELARDO VAZQUEZ LACANO, M.D.
CO-05-09-4806-A

STATEMENT

OF

CHARGES

ABELARDO VAZQUEZ LACANO, M.D., the Respondent, was authorized to practice medicine in New York state on August 1, 1972, by the issuance of license number 113535 by the New York State Education Department.

FACTUAL ALLEGATIONS

A. On or about August 19, 2005, the State of Florida, Board of Medicine (hereinafter "Florida Board"), by a Final Order (hereinafter "Florida Order"), fined Respondent \$10,000.00, required him to complete five (5) hours of CME in risk management, fifty (50) hours of community service, and a one hour lecture on wrong site surgery, and issued him a Letter of Concern, based on performing a wrong surgical procedure on a patient.

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(4) (gross negligence); and/or
2. New York Education Law §6530(26) (performing professional services which have not been authorized by 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 charges:

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: *Nov. 4*, 2005
Albany, New York


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

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

IN THE MATTER

CONSENT

OF

ORDER

ABELARDO VAZQUEZ LACANO, M.D.


Upon the application of **ABELARDO VAZQUEZ LACANO, M.D.**, (Respondent) in the attached Consent Agreement and Order, which is made a part of this Consent Order, it is

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

ORDERED, that this Order shall be effective upon issuance by the Board, either by mailing of a copy of this Consent Order, either by first class mail to Respondent at the address in the attached Consent Agreement or by certified mail to Respondent's attorney OR upon facsimile transmission to Respondent or Respondent's attorney, whichever is first.

SO ORDERED.

DATED: 12-14-2005


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