



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

Dennis J. Graziano, Director
Office of Professional Medical Conduct

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Chairman

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

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

Public

March 2, 2006

CERTIFIED MAIL-RETURN RECEIPT REQUESTED

Ira David Uretzky, M.D.

Re: License No. 230994

Dear Dr. Uretzky:

Enclosed is a copy of Order #BPMC 06-47 of the New York State Board for Professional Medical Conduct. This order and any penalty provided therein goes into effect March 9, 2006.

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: James A. Wilson, Esq.
5322 Highgate Drive, Suite 243
Durham, NC 27713

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

IN THE MATTER
OF
IRA DAVID URETZKY, M.D.

CONSENT
ORDER

BPMC No. #06-47

Upon the application of IRA DAVID URETZKY, 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: 3-1-06

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

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

IN THE MATTER

OF

IRA DAVID URETZKY, M.D.
CO-05-09-4654-A

CONSENT

AGREEMENT

AND ORDER

IRA DAVID URETZKY, M.D., (Respondent) representing that all of the following statements are true, deposes and says:

That on or about January 9, 2004, I was licensed to practice as a physician in the State of New York, and issued License No. 230994 by the New York State Education Department.

My current address is _____, and I will advise the Director of the Office of Professional Medical Conduct of any change of my address thirty (30) days, thereof.

I understand that the New York State Board for Professional Medical Conduct has charged me with two (2) specifications of professional misconduct.

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

I do not contest the two (2) specifications, in full satisfaction of the charges against me, and agree to the following penalty:

Six (6) months suspension of my license to practice medicine, to run concurrent and coterminous with the suspension set forth in the September 8, 2005, North Carolina Medical Board, Consent Order.

Respondent shall not serve as a medical director of any enterprise that provides laser hair removal services.

Respondent shall comply fully with the September 8, 2005, Consent Order of the North Carolina Board and any extension or modification thereof.

Respondent shall provide a written authorization for the North Carolina Board to provide the Director of OPMC with any/all information or documentation as requested by OPMC to enable OPMC to determine whether Respondent is in compliance with the North Carolina Order.

Respondent shall submit semi-annually a signed Compliance Declaration to the Director of OPMC, which truthfully attests whether Respondent has been in compliance with the North Carolina Order during the declaration period specified.

Should I return to the practice of medicine in New York state or in any other jurisdiction where that practice is predicated on my New York state medical license to practice prior to my license being fully restored by the State of North Carolina, I shall provide ninety (90) days notice in writing, to the Director, OPMC. The Director in his sole discretion, may impose whatever limitations, or further conditions, he deems reasonable. Provided, however, that this paragraph shall not take effect unless the North Carolina Board imposes some new or additional continuing obligation on my license beyond that existing in my present consent order with the North Carolina Board (that I not serve as a medical director of any enterprise that provides laser hair removal services).

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

That Respondent shall maintain active registration of Respondent's license with the New York State Education, Department Division of Professional Licensing Services (except during period of actual suspension), and shall pay all registration fees. This condition shall take effect thirty (30) days after the Consent Order's effective date and will continue so long as Respondent remains licensed in New York State; and

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 all 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 with 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 remain 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 and 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 patients' 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 that the Board adopt this Consent Agreement.

AFFIRMED:

DATED: 21 February 2006

IRA DAVID URETZKY, M.D.
Respondent

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

DATE: 21 February 2006

JAMES A. WILSON
Attorney for Respondent

DATE: 22 February 2006

ROBERT BOGAN
Associate Counsel
Bureau of Professional Medical Conduct

DATE: 28 February 2006

DENNIS J. GRAZIANO
Office of Professional Medical Conduct

STATE OF NEW YORK

DEPARTMENT OF HEALTH

STATE BOARD FOR PROFESSIONAL MEDICAL CONDUCT

IN THE MATTER

OF

IRA DAVID URETZKY, M.D.
CO-05-09-4654-A

STATEMENT

OF

CHARGES

IRA DAVID URETZKY, M.D., the Respondent, was authorized to practice medicine in New York state on January 9, 2004, by the issuance of license number 230994 by the New York State Education Department.

FACTUAL ALLEGATIONS

A. On or about September 8, 2005, the North Carolina Medical Board, (hereinafter "North Carolina Board"), by a Consent Order (hereinafter "North Carolina Order"), INDEFINITELY SUSPENDED Respondent's license to practice medicine, beginning October 1, 2005, stayed the suspension after March 31, 2006, and directed that he not serve as medical director of any enterprise that provides hair removal services, based on as Medical Director of a body laser and skin clinic that offered laser hair removal, that sold to its laser hair removal clients a cream, that federal law prohibits the dispensing without a prescription, the makers of which provided to the clinic, before which no physician or authorized prescriber took a medical history or performed a physical exam of the client, and during the time Respondent served as Medical Director he failed to take steps to ensure that the staff safely administered, properly dispensed, or appropriately instructed patients on the safe use and application of the cream.

B. The conduct resulting in the North Carolina Medical Board's 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(11) (permitting, aiding or abetting an unlicensed person to perform activities requiring a licensee); and/or
3. New York Education Law §6530(33) (failure to exercise appropriate supervision over persons who are authorized to practice only under the supervision of the license).

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 findings 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 his license to practice medicine suspended or having other disciplinary action taken by a duly authorized professional disciplinary agency of another state, where the conduct resulting in the suspension or other 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: *Dec. 20*, 2005
Albany, New York

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