



New York State Board for Professional Medical Conduct

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

Kendrick A. Sears, M.D.
Chair

Dennis J. Graziano, Director
Office of Professional Medical Conduct

Public

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

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

January 16, 2007

CERTIFIED MAIL-RETURN RECEIPT REQUESTED

Kitabu Dembo Ceesay, P.A.
896 Summit Avenue
Hackensack, NJ 07601

Re: License No. 008096

Dear Mr. Ceesay:

Enclosed is a copy of Order #BPMC 07-05 of the New York State Board for Professional Medical Conduct. This order and any penalty provided therein went into effect January 15, 2007.

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, 433 River Street, Suite 303, Troy, NY 12180.

Sincerely,

Ansel R. Marks, M.D., J.D.
Executive Secretary
Board for Professional Medical Conduct

Enclosure

cc: Gerald J. Heubel, Esq.
Bartlett, McDonough, Bastone & Monaghan, LLP
Attorneys at Law
81 Main Street
White Plains, NY 10601

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

**IN THE MATTER
OF
KITABU DEMBO CEESAY, P.A.**

**CONSENT
ORDER**

BPMC No. #07-05

Upon the application of (Respondent) KITABU DEMBO CEESAY, P.A. 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: 1/15/07


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

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

**IN THE MATTER
OF
KITABU DEMBO CEESAY, P.A.**

**CONSENT
AGREEMENT
AND
ORDER**

KITABU DEMBO CEESAY, P.A., representing that all of the following statements are true, deposes and says:

That on or about June 1, 2001, I was licensed to practice as a physician assistant in the State of New York, and issued License No. 008096 by the New York State Education Department.

My current address is 896 Summit Avenue, Hackensack, N.J. 07601, and I will advise the Director of the Office of Professional Medical Conduct of any change of address.

I understand that the New York State Board for Professional Medical Conduct has charged me with two 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 assert that I do not contest the allegations set forth in the second specification, in full satisfaction of the charges against me, and agree to the following penalty, which shall be effective on January 15, 2007:

(1). Pursuant to §230-a(2) of the Public Health law, my license to practice as a physician assistant in the State of New York shall be suspended for a period of 3 years, with the first month to be served as a period of actual suspension and with the last thirty-five (35) months of said suspension to be stayed.

(2). Pursuant to §230-a(9) of the Public Health Law, I shall be placed on probation for a period of three (3) years, in accordance with the terms set forth in Exhibit "B," annexed hereto, which shall commence one (1) month after the effective date of the Consent Order.

(3). Pursuant to §230-a(8) I shall be required to enroll in and successfully complete Continuing Medical Education course(s), of study, for physician assistants, in the area of assessing and treating trauma cases.

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

That Respondent shall maintain current registration of licensure with the New York State Education Department Division of Professional Licensing Services (except during periods 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 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 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.

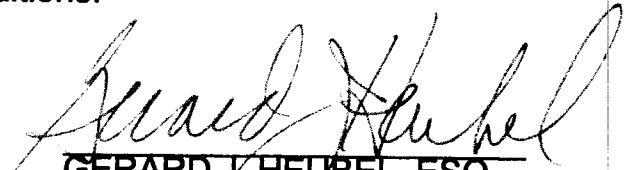
I ask the Board to adopt this Consent Agreement of my own free will and not under duress, compulsion or restraint. In consideration of the value to me of the Board's adoption of this Consent Agreement, allowing me to resolve this matter without the various risks and burdens of a hearing on the merits, 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.

DATED 12/22/06

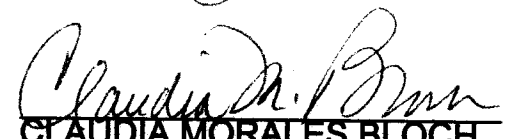

KITABU DEMBO CEESAY, P.A.
RESPONDENT

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

DATE: 12/22/06


GERARD J. HEUBEL, ESQ.
Attorney for Respondent

DATE: 12/26/06


CLAUDIA MORALES BLOCH
Associate Counsel
Bureau of Professional Medical Conduct

DATE: 12 January 2007


DENNIS J. GRAZIANO
Director
Office of Professional Medical Conduct

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

IN THE MATTER
OF
KITABU DEMBO CEESAY, P.A.

STATEMENT
OF
CHARGES

KITABU DEMBO CEESAY, P.A., the Respondent, was authorized to practice as a Physician Assistant in New York State on or about June 1, 2001, by the issuance of license number 008096 by the New York State Education Department.

FACTUAL ALLEGATIONS

- A. On or about September 22, 2004, in the course of his employment with the Westchester County Department of Correction at the Jail Division, Vallhalla, N.Y., Respondent undertook the care and treatment of Patient A, whose identity is set forth in the annexed Appendix. Respondent failed to perform and/or note complete and appropriate physical examinations of Patient A.

SPECIFICATION OF CHARGES

FIRST SPECIFICATION

GROSS NEGLIGENCE

Respondent is charged with committing professional misconduct as defined in N.Y. Educ. Law §6530(4) by practicing the profession of physician assistant with

“EXHIBIT A”

gross negligence as alleged in the facts of the following:

1. Paragraph A

SECOND SPECIFICATION

NEGLIGENCE ON MORE THAN ONE OCCASION

Respondent is charged with committing professional misconduct as defined in N.Y. Educ. Law §6530(3) by practicing the profession of physician assistant with negligence on more than one occasion as alleged in the facts of two or more of the following:

2. Paragraph A

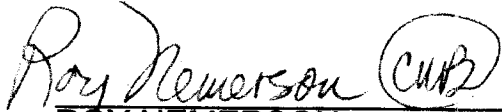
THIRD SPECIFICATION

FAILURE TO MAINTAIN RECORDS

Respondent is charged with committing professional misconduct as defined in N.Y. Educ. Law §6530(32) by failing to maintain a record for the patient which accurately reflects the care and treatment of the patient, as alleged in the facts of:

3. Paragraph A

DATED: December 13, 2006
New York, New York



ROY NEMERSON
Deputy Counsel
Bureau of Professional
Medical Conduct

EXHIBIT "B"

Terms of Probation

1. Respondent's conduct shall conform to moral and professional standards of conduct and governing law. Any act of professional misconduct by Respondent as defined by New York State Education Law §6530 or §6531 shall constitute a violation of probation and may subject Respondent to an action pursuant to New York State Public Health Law §230(19).
2. Respondent shall maintain current registration of licensure with the New York State Education Department Division of Professional Licensing Services (except during periods of actual suspension), and shall pay all registration fees.
3. Respondent shall provide the Director, Office of Professional Medical Conduct (OPMC), Hedley Park Place, 433 River Street Suite 303, Troy, New York 12180-2299 with the following information, in writing, and ensure that such information is kept current: a full description of Respondent's employment and practice; all professional and residential addresses and telephone numbers within and outside New York State; and all investigations, charges, convictions or disciplinary actions by any local, state or federal agency, institution or facility, within thirty (30) days of each action.
4. Respondent shall cooperate fully with, and respond in a timely manner to, OPMC requests to provide written periodic verification of Respondent's compliance with the terms of this Consent Order. Upon the Director of OPMC's request, Respondent shall meet in person with the Director's designee.
5. Respondent's failure to pay any monetary penalty by the prescribed date shall subject Respondent to all provisions of law relating to debt collection by New York State, including but not limited to: the imposition of interest, late payment charges and collection fees; referral to the New York State Department of Taxation and Finance for collection; and non-renewal of permits or licenses [Tax Law section 171(27)]; State Finance Law section 18; CPLR section 5001; Executive Law section 32].
6. The probation period shall toll when Respondent is not engaged in active practice as a physician assistant in New York State for a period of thirty (30) consecutive days or more. Respondent shall notify the Director of

OPMC, in writing, if Respondent is not currently engaged in, or intends to leave, active practice as a physician assistant in New York State for a consecutive thirty (30) day period. Respondent shall then notify the Director again at least fourteen (14) days before returning to active practice. Upon Respondent's return to active practice in New York State, the probation period will resume and Respondent shall fulfill any unfulfilled probation terms.

7. The Director of OPMC may review Respondent's professional performance. This review may include but shall not be limited to: a review of office records, patient records and/or hospital charts; and interviews with or periodic visits with Respondent and staff at practice locations or OPMC offices.
8. Respondent shall maintain complete and legible medical records that accurately reflect the evaluation and treatment of patients and contain all information required by State rules and regulations concerning controlled substances.
9. Respondent shall enroll in and complete a continuing education program in the area of assessing and treating trauma cases. This continuing education program is subject to the Director of OPMC's prior written approval and shall be completed within the first year of the probation period, unless the Order specifies otherwise.

PRACTICE SUPERVISOR

10. Pursuant to Educ. Law Sec. 6542, Respondent shall practice only when under the supervision of a physician and only when such acts and duties as are assigned to him are within the scope of practice of such supervising physician. Respondent's practice supervisor shall be on-site at all locations, unless determined otherwise by the Director of OPMC. The practice supervisor shall be proposed by Respondent and subject to the written approval of the Director. The practice supervisor shall not be a family member or personal friend, or be in a professional relationship which could pose a conflict with supervision responsibilities.
11. Respondent shall ensure that the practice supervisor is familiar with the Order and terms of probation, and willing to report to OPMC. Respondent shall ensure that the practice supervisor is in a position to regularly observe and assess Respondent's practice. Respondent shall cause the practice supervisor to report within 24 hours any suspected impairment,

inappropriate behavior, questionable medical practice or possible misconduct to OPMC.

- 12. Respondent shall authorize the practice supervisor to submit quarterly written reports, to the Director of OPMC, regarding Respondent's practice. These narrative reports shall address all aspects of Respondent's clinical practice including, but not limited to, the evaluation and treatment of patients, general demeanor, time and attendance, the supervisor's assessment of Respondent's record keeping of the patient care and treatment and other such on-duty conduct as the supervisor deems appropriate to report.**

- 13. Respondent shall comply with this Consent Order and all its terms, and shall bear all associated compliance costs. Upon receiving evidence of noncompliance with, or a violation of, these terms, the Director of OPMC and/or the Board may initiate a violation of probation proceeding, and/or any other such proceeding authorized by law, against Respondent.**