



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

June 14, 2006

CERTIFIED MAIL-RETURN RECEIPT REQUESTED

Walid Salim Hammoud, M.D.
2095 East Hampton Road
Binghamton, NY 13903

Re: License No. 135044

Dear Dr. Hammoud:

Enclosed is a copy of Order #BPMC 06-130 of the New York State Board for Professional Medical Conduct. This order and any penalty provided therein goes into effect June 21, 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: Charles O. Ingraham, Esq.
Aswad & Ingraham
Attorneys at Law
46 Front Street
Binghamton, NY 13905

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

IN THE MATTER
OF
WALID SALIM HAMMOUD, M.D.

CONSENT
ORDER

BPMC No. #06-130


Upon the application of (Respondent) WALID SALIM HAMMOUD, M.D. 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.

DATE: 6-13-06


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
WALID SALIM HAMMOUD, M.D.

CONSENT
AGREEMENT
AND
ORDER

WALID SALIM HAMMOUD, M.D., representing that all of the following statements are true, deposes and says:

That on or about July 7, 1978, I was licensed to practice as a physician in the State of New York, and issued License No. 135044 by the New York State Education Department.

My current address is 2095 East Hampton Road, Binghamton, New York, 13903 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 one specification 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 allegations, and agree to the following penalty:

Pursuant to § 230-a(3) of the Public Health Law, my license to practice medicine in the state of New York shall be limited so as to preclude me from performing any surgery.

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 periods of actual suspension), and shall pay all registration fees. This condition shall take effect thirty 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 stipulate that the proposed sanction and Order are authorized by Public Health Law §§ 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.

I understand and agree that the attorney for the Department, the Director of

the Office of Professional Medical Conduct and the Chair of the State Board for Professional Medical Conduct each retain complete discretion either to enter into the proposed agreement and Order, based upon my application, or to decline to do so. I further understand and agree that no prior or separate written or oral communication can limit that discretion.

DATE 5/31/06


WALID SALIM HAMMOUD, M.D.
RESPONDENT

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

DATE: June 5, 2006


CHARLES O. INGRAHAM
Attorney for Respondent

DATE: June 5, 2006


VALERIE B. DONOVAN
Assistant Counsel
Bureau of Professional Medical Conduct

DATE: 12 June 2006


DENNIS J. GRAZIANO
Director
Office of Professional Medical Conduct

Exhibit A

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

IN THE MATTER
OF
WALID SALIM HAMMOUD, M.D.

STATEMENT
OF
CHARGES

WALID SALIM HAMMOUD, M.D., the Respondent, was authorized to practice medicine in New York State on or about July 7, 1978, by the issuance of license number 135044 by the New York State Education Department.

FACTUAL ALLEGATIONS

- A. On or around August 16, 2000, Respondent provided medical care to Patient A (identified in the Appendix) at Wilson Memorial Regional Medical Center, Binghamton, New York. Patient A, a sixty year old female with urosepsis and uncontrolled diabetes with ketoacidosis, was to undergo a laparoscopic cholecystectomy. Respondent's care of Patient A, did not meet acceptable standards of care in that:
1. Respondent failed to review Patient A's chart prior to surgery and/or failed to recognize that Patient A was having a myocardial infarction prior to going to the operating room.
 2. Respondent failed to consult with cardiology and/or with nephrology prior to the start of surgery on Patient A.
- B. On or around October 18, 2002, Respondent provided medical care to Patient B,

at Wilson Memorial Regional Medical Center. Patient B, a sixty-nine year old male with a history of hypertension, diabetes, emphysema, coronary bypass grafting, an abdominal aortic aneurysm, and atrial fibrillation treated with Coumadin, was admitted with abdominal pain and was to undergo a laparoscopic appendectomy. Respondent's care of Patient B, did not meet acceptable standards of care in that:

1. Respondent failed to perform an adequate preoperative evaluation of Patient B, failed to re-check the Prothrombin time prior to surgery and/or failed to give Patient B the recommended Beta blocker prior to surgery.

SPECIFICATION OF MISCONDUCT

FIRST 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 medicine with negligence on more than one occasion as alleged in the facts of two or more of the following:

1. The facts in paragraphs A and A.1, A and A.2 and/or B and B.1.

DATED:

June 5, 2006
Albany, New York

Peter D. Van Buren

Peter D. Van Buren
Deputy Counsel
Bureau of Professional
Medical Conduct