

Public

STATE OF NEW YORK
STATE BOARD FOR PROFESSIONAL MEDICAL CONDUCT

DEPARTMENT OF HEALTH

IN THE MATTER

OF

BENZENA DOSUNMU, R.P.A.
CO-06-03-1402-A

**COMMISSIONER'S
ORDER
AND
NOTICE OF
HEARING**

TO: BENZENA DOSUNMU, R.P.A.
Inmate No. 71196-053
FCI Danbury
Federal Correctional Institution
Route 37
Danbury, CT 06811

The undersigned, Antonia C. Novello, M.D., M.P.H., Dr.P.H., Commissioner of Health, after an investigation, upon the recommendation of a Committee on Professional Medical Conduct of the State Board for Professional Medical Conduct, and upon the Statement of Charges attached hereto and made a part hereof, has determined that **BENZENA DOSUNMU, R.P.A.**, Respondent, licensed to practice medicine in the State of New York as a physician assistant on January 21, 1987, by license number 003169, has been found guilty of committing acts constituting felonies under federal law in the United States District Court, Eastern District of New York.

It is therefore:

ORDERED, pursuant to New York Public Health Law §230(12)(b), that effective immediately **BENZENA DOSUNMU, R.P.A.**, Respondent, shall not practice medicine in the State of New York or in any other jurisdiction where that practice is predicated on a valid New York State license to practice medicine as a physician assistant. This Order shall remain in effect unless modified or vacated by the Commissioner of Health pursuant to New York Public Health Law §230(12).

PLEASE TAKE NOTICE that a hearing will be held pursuant to the provisions of New York Public Health Law §230, and New York State Administrative Procedure Act §§301-307 and 401 . The hearing will be conducted before a committee on professional conduct of the State Board for Professional Medical Conduct on the 16th day of August, 2006, at 10:00 a.m., at Hedley Park Place, 433 River Street, 5th Floor, Troy, New York 12180, at the offices of the New York State Health Department, and at such other adjourned dates, times and places as the committee may direct. The Respondent may file an answer to the Statement of Charges with the below-named attorney for the Department of Health.

At the hearing, evidence will be received concerning the allegations set forth in the Statement of Charges, which is attached. A stenographic record of the hearing will be made and the witnesses at the hearing will be sworn and examined. The Respondent shall appear in person at the hearing and may be represented by counsel. The Respondent has the right to produce witnesses and evidence on his behalf, to issue or have subpoenas issued on his behalf for the production of witnesses and documents and to cross-examine witnesses and examine evidence produced against him. A summary of the Department of Health Hearing Rules is enclosed. Pursuant to §301(5) of the State Administrative Procedure Act, the Department, upon reasonable notice, will provide at no charge a qualified interpreter of the deaf to interpret the proceedings to, and the testimony of, any deaf person.

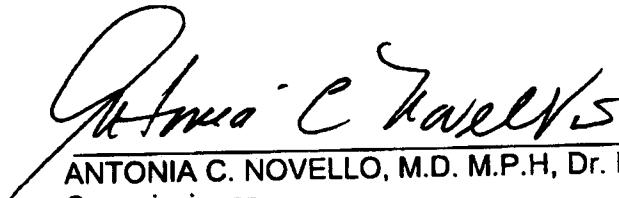
The hearing will proceed whether or not the Respondent appears at the hearing. Scheduled hearing dates are considered dates certain and, therefore, adjournment requests are not routinely granted. Requests for adjournments must be made in writing to the New York State Department of Health, Division of Legal Affairs, Bureau of Adjudication, Hedley Park Place, 433 River Street, Fifth Floor South, Troy, NY 12180, ATTENTION: HON. SEAN D. O'BRIEN, DIRECTOR, BUREAU OF ADJUDICATION, and by telephone (518-402-0748), upon notice to the attorney for the Department of Health whose name appears below, and at least five days prior to the scheduled hearing date. Claims of court engagement will require detailed affidavits of actual engagement. Claims of illness will require medical documentation.

At the conclusion of the hearing, the committee shall make findings of fact, conclusions concerning the charges sustained or dismissed, and, in the event any of the charges are sustained, a determination of the penalty or sanction to be imposed or appropriate action to be taken. Such determination may be reviewed by the administrative review board for professional medical conduct.

THESE PROCEEDINGS MAY RESULT IN A DETERMINATION THAT YOUR LICENSE TO PRACTICE MEDICINE IN NEW YORK STATE BE REVOKED OR SUSPENDED, AND/OR THAT YOU BE FINED OR SUBJECT TO OTHER SANCTIONS SET FORTH IN NEW YORK PUBLIC HEALTH LAW §230-a. YOU ARE URGED TO OBTAIN AN ATTORNEY TO REPRESENT YOU IN THIS MATTER.

DATED: Albany, New York

July 5, 2006


ANTONIA C. NOVELLO, M.D. M.P.H., Dr. P.H.,
Commissioner

Inquires should be addressed to:

Robert Bogan
Associate Counsel
Office of Professional Medical Conduct
433 River Street – Suite 303
Troy, New York 12180
(518) 402-0828

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BENZENA DOSUNMU, R.P.A.
CO-06-03-1402-A

STATEMENT
OF
CHARGES

BENZENA DOSUNMU, R.P.A., Respondent, was authorized to practice medicine as a Physician Assistant in New York state on January 21, 1987, by the issuance of license number 003169 by the New York State Education Department.

FACTUAL ALLEGATIONS

A. On or about February 3, 2006, in the United States District Court, Eastern District of New York, Respondent was found guilty, based on a plea of guilty, of Mail Fraud, in violation of Title 18 U.S.C. §§ 1341, 2, and 3551 et seq.; and Theft or Embezzlement from Employee Benefit Plan, in violation of Title U.S.C. §§ 664 and 3551 et seq., felonies, and was sentenced to twelve (12) months and one (1) day imprisonment, three (3) years supervised release upon release from imprisonment, a \$200.00 assessment, and \$34,327.30 restitution.

SPECIFICATION

Respondent violated New York State Education Law §6530(9)(ii) by having been convicted of committing an act constituting a crime under federal law, in that Petitioner charges:

1. The facts in Paragraph A.

DATED: *July 5*, 2006
Albany, New York

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