



New York State Board for Professional Medical Conduct

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

Barbara A. DeBuono, M.D., M.P.H.
Commissioner of Health

Patrick F. Carone, M.D., M.P.H.
Chair
Ansel R. Marks, M.D., J.D.
Executive Secretary

April 20, 1998

CERTIFIED MAIL-RETURN RECEIPT REQUESTED

Peter V. Choy, M.D.
65-19 Borden Avenue
Masbeth, New York 11378

RE: License No. 130763

Dear Dr. Choy:

Enclosed please find Order #BPMC 98-68 of the New York State Board for Professional Medical Conduct. This Order and any penalty provided therein goes into effect ~~June 26, 1998.~~

APRIL 27, 1998

If the penalty imposed by the Order is a surrender, revocation or suspension of this license, you are required to deliver to the Board the license and registration within five (5) days of receipt of the Order.

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: Jeffrey Ruggiero, Esq.
Lester, Schwab, Katz & Dwyer
120 Broadway
New York, New York 10271-0071

Denise Lepecier, Esq.

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

IN THE MATTER
OF
PETER V. CHOY, M.D.

SURRENDER
OF
LICENSE

BPMC #98-68

STATE OF NEW YORK)
COUNTY OF NEW YORK) ss.:

PETER V. CHOY, M.D., being duly sworn, deposes and says:

On or about June 3, 1977, I was licensed to practice medicine as a physician in the State of New York having been issued License No. 130763 by the New York State Education Department.

My current address is 65-19 Borden Ave., Masbeth, N.Y., and I will advise the Director of the Office of Professional Medical Conduct of any change of my address.

I understand that I have been charged with four specifications of professional misconduct as set forth in the Statement of Charges, annexed hereto, made a part hereof, and marked as Exhibit "A".

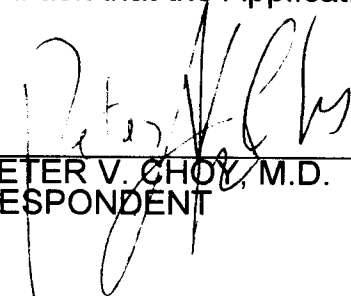
I am applying to the State Board for Professional Medical Conduct for permission to surrender my license as a physician in the State of New York on the grounds that I agree not to contest the facts stated in paragraphs A and A1 and B and B1 in full satisfaction of the Statement of Charges, with such surrender to become effective on June 26, 1998.

I hereby make this application to the State Board for Professional Medical Conduct and request that it be granted.

I understand that, in the event that the application is not granted by the State Board for Professional Medical Conduct, nothing contained herein shall be binding upon me or construed to be an admission of any act of misconduct alleged or charged against me, such application shall not be used against me in any way, and shall be kept in strict confidence during the pendency of the professional misconduct disciplinary proceeding; and such denial by the State Board for Professional Medical Conduct shall be made without prejudice to the continuance of any disciplinary proceeding and the final determination by a Committee on Professional Medical Conduct pursuant to the provisions of the Public Health Law.

I agree that, in the event the State Board for Professional Medical Conduct grants my application, an order shall be issued upon acceptance of this agreement, striking my name from the roster of physicians in the State of New York effective June 26, 1998, without further notice to me.

I am making this Application of my own free will and accord and not under duress, compulsion or restraint of any kind or manner. In consideration of the value to me of the acceptance by the Board of this Application, allowing me to resolve this matter without the various risks and burdens of a hearing on the merits, I knowingly waive any right I may have to contest the Surrender Order for which I hereby apply, whether administratively or judicially, and ask that the Application be granted.


PETER V. CHOY, M.D.
RESPONDENT

Sworn to before me this
30 day of March, 1998


NOTARY PUBLIC

ANNAMARIE TZITZIKALAKIS
Notary Public, State of New York
No. 01TZ4796977
Qualified in Kings County
Commission Expires August 31, 1999


The undersigned agree to the attached application of the Respondent to surrender his license.

Date: MARCH 30, 1998



JEFFREY B. RUGGIERO, Esq.
Attorney for Respondent

Date: 4/1/98



DENISE LEPTICIER
Attorney
Bureau of Professional
Medical Conduct

Date: April 6, 1998



ANNE F. SAILE
Director
Office of Professional Medical Conduct

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

**IN THE MATTER
OF
PETER V. CHOY, M.D.**

**SURRENDER
ORDER**

Upon the proposed agreement of PETER V. CHOY, M.D. (Respondent) to Surrender his license as a physician in the State of New York, which proposed agreement is made a part hereof, it is agreed to and


ORDERED, that the application and the provisions thereof are hereby adopted; it is further

ORDERED, that the name of Respondent be stricken from the roster of physicians in the State of New York on June 26, 1998; it is further

ORDERED, that this order shall take effect as of the date of the personal service of this order upon Respondent, upon receipt by Respondent of this order via certified mail, or seven days after mailing of this order via certified mail, whichever is earliest.

SO ORDERED.

DATED: April 9, 1998


PATRICK F. CARONE, M.D., M.P.H.
Chairperson
State Board for Professional
Medical Conduct

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

IN THE MATTER
OF
PETER V. CHOY, M.D.

STATEMENT
OF
CHARGES

PETER V. CHOY, M.D., the Respondent, was authorized to practice medicine in New York State on or about June 3, 1977, by the issuance of license number 130763 by the New York State Education Department.

FACTUAL ALLEGATIONS

- A. On or about December 1, 1994, Respondent wilfully submitted an application to Oxford Health Plans in which he falsely represented that he was certified by the American Board of Internal Medicine to be a diplomate in the specialty of Internal Medicine.
1. Respondent knowingly made this false representation with the intention to deceive.
- B. On or about May 12, 1995, Respondent wilfully submitted an application to Empire Blue Cross and Blue Shield Managed Care Networks in which he **falsely** represented that he was certified by the American Board of Internal Medicine to be a diplomate in the specialty of Internal Medicine.
1. Respondent knowingly made this false representation with the intention to deceive.

SPECIFICATION OF CHARGES

FIRST AND SECOND SPECIFICATIONS

FRAUDULENT PRACTICE

Respondent is charged with committing professional misconduct as defined by N.Y. Educ. Law §6530(2)(McKinney Supp. 1997) by practicing the profession of medicine fraudulently as alleged in the facts of:

1. Paragraphs A and A1.
2. Paragraphs B and B1.

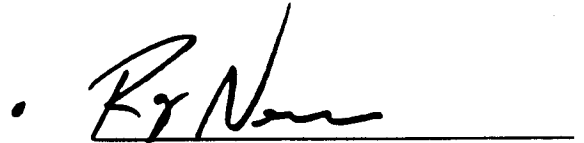
THIRD AND FOURTH SPECIFICATIONS

FALSE REPORT

Respondent is charged with committing professional misconduct as defined in N.Y. Educ. Law §6530(21)(McKinney Supp. 1997) by wilfully making or filing a false report as alleged in the facts of:

3. Paragraph A.
4. Paragraph B.

DATED: December 2, 1997
New York, New York



ROY NEMERSON
Deputy Counsel
Bureau of Professional
Medical Conduct