



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

Charles J. Vacanti, M.D.
Chair

March 19, 1997

CERTIFIED MAIL-RETURN RECEIPT REQUESTED

Chaim Citronenbaum, M.D.
1300 Avenue P
Brooklyn, New York 11229

RE: License No. 154908

Dear Dr. Citronenbaum:

Enclosed please find Order #BPMC 97-65 of the New York State Board for Professional Medical Conduct. This Order and any penalty provided therein goes into effect upon receipt of this letter or seven (7) days after the date of this letter, whichever is earlier.

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,

Charles Vacanti, M.D.
Chair
Board for Professional Medical Conduct

Enclosure

cc: Richard A. Finkel, Esq.
Messrs. Kleinberg & Finkel
275 Madison Avenue
New York, New York 10016-1101

David W. Smith, Esq.

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

IN THE MATTER
OF
CHAIM CITRONENBAUM, M.D.

CONSENT
ORDER
BPMC #97-65

Upon the application of CHAIM CITRONENBAUM, M.D. (Respondent) for Consent Order, which application is made a part hereof, it is

ORDERED, that the application and the provisions thereof are hereby adopted and so ORDERED, and 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 by certified mail, whichever is earliest.

SO ORDERED.

DATED: 13 March 1997



CHARLES J. VACANTI, M.D.
Chairperson
State Board for Professional
Medical Conduct

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

IN THE MATTER
OF
CHAIM CITRONENBAUM, M.D.

APPLICATION
FOR
CONSENT ORDER

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

CHAIM CITRONENBAUM, M.D., being duly sworn, deposes and says:

That in or about 1983, I was licensed to practice as a physician in the State of New York, having been issued License No. 154908 by the New York State Education Department.

I am currently registered with the New York Education Department to practice as a physician in the State of New York and my address is 1300 Avenue P, Brooklyn, New York 11229.

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

A copy of the Statement of Charges is annexed hereto, made a part hereof, and marked as Exhibit "A".

I admit guilt to the Second Specification, in full satisfaction of the charges against me.

I hereby agree to the following sanctions:

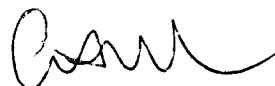
- i. I shall be suspended for a period two (2) years with such suspension to be stayed.
- ii. I shall be placed on probation for a period of two (2) years subject to the Terms of Probation attached hereto as Exhibit "B".
- iii. I shall be fined \$10,000.00, payable in equal quarterly installments beginning one month from the date of the Order approving this Application.

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

I understand that, in the event that this Application is not granted by the Board, 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 Board shall be made without prejudice to the continuance of any disciplinary proceeding and the final determination by the Board pursuant to the provisions of the Public Health Law.

I agree that, in the event the Board grants my Application, as set forth herein, an order of the Chairperson of the Board shall be issued in accordance with same.

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 Consent Order for which I hereby apply, whether administratively or judicially, and ask that the Application be granted.



CHAIM CITRONENBAUM, M.D.
RESPONDENT

Sworn to before me this

12th day of February, 1997


NOTARY PUBLIC

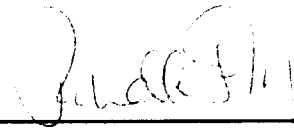
NEW YORK STATE DEPARTMENT OF HEALTH
STATE BOARD FOR PROFESSIONAL MEDICAL CONDUCT

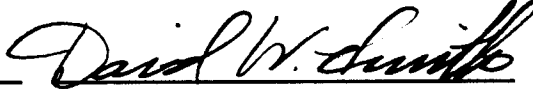
IN THE MATTER
OF
CHAIM CITRONENBAUM, M.D.

APPLICATION
FOR
CONSENT ORDER

The undersigned agree to the attached application of the Respondent and to the proposed penalty based on the terms and conditions thereof.

DATE: 2/12/97 
CHAIM CITRONENBAUM, M.D.
Respondent

DATE: 2/12/97 
RICHARD FINKEL, ESQ.
Attorney for Respondent

DATE: 3/6/97 
DAVID W. SMITH
Associate Counsel
Bureau of Professional
Medical Conduct

DATE: March 10, 1997

Anne Saile

ANNE F. SAILE
Acting Director
Office of Professional Medical
Conduct

DATE: 13 March 1997

Charles J. Vacanti

CHARLES J. VACANTI, M.D.
Chairperson
State Board for Professional
Medical Conduct

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

IN THE MATTER
OF
CHAIM CITRONENBAUM, M.D.

STATEMENT
OF
CHARGES

CHAIM CITRONENBAUM, M.D., the Respondent, was authorized to practice medicine in New York State on or about July 8, 1983, by the issuance of license number 154908 by the New York State Education Department.

FACTUAL ALLEGATIONS

- A. Respondent practices physical medicine and rehabilitation at his office at 1300 Avenue P, Brooklyn, New York 11229.
1. Respondent has knowingly and intentionally advertised himself as being Board Certified in Physical Medicine. Such advertising was false and Respondent knew it to be false at the time he did it.
 2. Respondent knowingly and intentionally advertised himself as being an attending physician at the Hospital for Joint Diseases in Manhattan. Such advertising was false and Respondent knew it was false at the time he did it.
 3. Respondent knowingly and intentionally advertised himself as being an attending physician at Kingsbrook Hospital Medical Center in New York City. Such advertising was false and

Respondent knew it was false at the time he did it.

4. Respondent knowingly and intentionally advertised himself as being "assistant professor" at Downstate Medical Center. Such advertising was false and Respondent knew it was false at the time he did it.
5. Respondent knowingly and intentionally advertised that he currently was or had been Director of Rehabilitation at Thomas Jefferson Home for Adults, Scharf Manor and New Broadview Manor. Such advertising was false and Respondent knew it was false at the time he did it.
6. Respondent knowingly and intentionally advertised himself as being a member of the American Congress of Rehabilitation and American Academy of Physical Medicine and Rehabilitation. Such advertising was false and Respondent knew it was false at the time he did it.
7. Respondent knowingly and intentionally advertised himself as having graduated from Downstate Medical School with honors. Such advertising was false and Respondent knew it was false at the time he did it.

SPECIFICATION OF CHARGES

FIRST SPECIFICATION

PRACTICING FRAUDULENTLY

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

1. Paragraphs A and A1-7.

SECOND SPECIFICATION

ADVERTISING NOT IN THE PUBLIC INTEREST

Respondent is charged with committing professional misconduct as defined in N.Y. Educ. Law §6530(27) by promulgating advertising that is not in the public interest as alleged in the facts of the following:

2. Paragraphs A and A1-7.

THIRD SPECIFICATION

UNFIT TO PRACTICE

Respondent is charged with committing professional misconduct as defined in N.Y. Educ. Law §6530(20) by engaging in conduct which evidences moral unfitness

to practice medicine as alleged in the facts of the following:

3. Paragraphs A and A1-7.

DATED: October , 1996
 New York, New York

ROY NEMERSON
Deputy Counsel
Bureau of Professional
Medical Conduct

EXHIBIT "B"

TERMS OF PROBATION

1. CHAIM CITRONENBAUM, M.D., during the period of probation, shall conduct himself/herself in all ways in a manner befitting his/her professional status, and shall conform fully to the moral and professional standards of conduct imposed by law and by his/her profession;
2. Respondent shall submit written notification to the New York State Department of Health (NYSDOH), addressed to the Director, Office of Professional Medical Conduct, New York State Department of Health, Corning Tower Building, 4th Floor, Empire State Plaza, Albany, New York 12237 of any employment and practice, of Respondent's residence and telephone number, and of any change in Respondent's employment, practice, residence, or telephone number within or without the State of New York;
3. Respondent shall submit written proof from the Division of Professional Licensing Services (DPLS), New York State Education Department (NYSED), that Respondent has paid all registration fees due and owing to the NYSED and Respondent shall cooperate with and submit whatever papers are requested by DPLS in regard to said registration fees, said proof from DPLS to be submitted by Respondent to the New York State Department of Health, addressed to the Director, Office of Professional Medical Conduct, as aforesaid, within the first three months of the period of probation;
4. Respondent shall submit written proof to the NYSDOH, addressed to the Director, Office of Professional Medical Conduct, as aforesaid, that 1) Respondent is currently registered with the NYSED, unless Respondent submits written proof that Respondent has advised DPLS, NYSED, that Respondent is not engaging in the practice of Respondent's profession in the State of New York and does not desire to register, and that 2) Respondent has paid any fines which may have previously been imposed upon Respondent by the Board or by the Board of Regents; said proof of the above to be submitted no later than the first two months of the period of probation;
5. Respondent shall comply with all terms, conditions, restrictions, and penalties to which he is subject pursuant to the order of the Board and shall assume and bear all costs related to compliance with the Terms of Probation;
6. Any civil penalty not paid by the date prescribed herein shall be subject to all provisions of law relating to debt collection by the State of New York. This includes but is 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 §171(27); State Finance Law §18; CPLR §5001; Executive Law §32);

7. The period of probation shall be tolled during periods in which Respondent is not engaged in the active practice of medicine in New York State. Respondent shall notify the Director of OPMC, in writing, if Respondent is not currently engaged in or intends to leave the active practice of medicine in New York State for a period of thirty (30) consecutive days or more. Respondent shall then notify the Director again prior to any change in that status. The period of probation shall resume and any terms of probation which were not fulfilled shall be fulfilled upon Respondent's return to practice in New York State.
8. Respondent's professional performance may be reviewed at any time during probation by the Director of OPMC. This review may include, but shall not be limited to, a review of office records, patient records and/or hospital charts, interviews with or periodic visits with Respondent and his/her staff at practice locations or OPMC offices.
9. Respondent shall maintain legible and complete medical records which accurately reflect the evaluation and treatment of patients. The medical records shall contain all information required by State rules and regulations regarding controlled substances.
10. So long as there is full compliance with every term herein set forth, Respondent may continue to practice his or her aforementioned profession in accordance with the terms of probation; provided, however, that upon receipt of evidence of noncompliance with, or any violation of these terms, the Director of the Office of Professional Medical Conduct and/or the Board may initiate a violation of probation proceeding and/or such other proceeding against Respondent as may be authorized pursuant to the Public Health Law.