



**Board for Professional Medical Conduct**

Corning Tower • Empire State Plaza • Albany, NY 12237 • (518) 474-8357

Mark R. Chassin, M.D., M.P.P., M.P.H.  
Commissioner

C. Maynard Guest, M.D.  
Executive Secretary

August 11, 1994

Dewitt T. Collier, Jr., M.D.  
996 Redondo Avenue  
#510  
Long Beach, CA 90804

RE: License No. 108681  
Effective Date: 8/18/94

Dear Dr. Collier:

Enclosed please find Order #BPMC 94-145 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  
Empire State Plaza  
Tower Building-Room 438  
Albany, New York 12237-0756

Sincerely,

C. Maynard Guest, M.D.  
Executive Secretary  
Board for Professional Medical Conduct

Enclosure

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

-----X

IN THE MATTER :  
OF : ORDER  
DEWITT T. COLLIER, JR., M.D. : BPMC #94-145

-----X

Upon the Application of DEWITT T. COLLIER, JR., M.D.  
(Respondent) to Surrender his license as a physician in the State  
of New York, which application is made a part hereof, it is

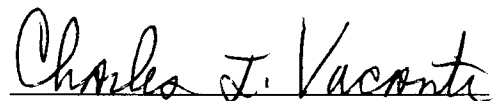
ORDERED, that the application and the provisions thereof are  
hereby adopted; it is further

ORDERED, that the name of Respondent be stricken from the  
roster of physicians in the State of New York; 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: 29 July 1994



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

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

-----X

IN THE MATTER : APPLICATION TO  
OF : SURRENDER  
DEWITT T. COLLIER, JR., M.D. : LICENSE

-----X

STATE OF CALIFORNIA )

ss.:

COUNTY OF *Los Angeles*

DEWITT T. COLLIER, JR., M.D., being duly sworn, deposes and  
says:

On or about July 1, 1971, I was licensed to practice  
medicine as a physician in the State of New York having been  
issued License No. 108681 by the New York State Education  
Department.

I am not currently registered with the New York State  
Education Department to practice as a physician in the State of  
New York.

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.

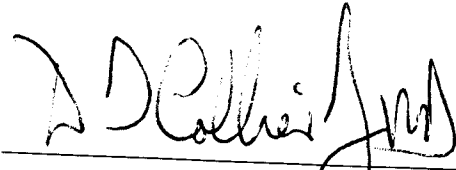
I hereby plead no contest to the allegations and charges set forth in the Statement of Charges (Exhibit A).

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 striking my name from the roster of physicians in the State of New York 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.



DEWITT T. COLLIER, JR., M.D.  
Respondent

Sworn to before me this  
20th day of July, 1994

  
NOTARY PUBLIC



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

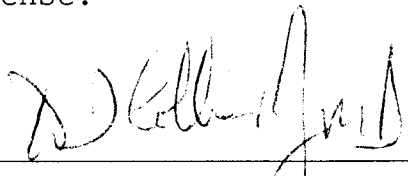
-----X

IN THE MATTER : APPLICATION TO  
TO : SURRENDER  
DEWITT T. COLLIER, JR., M.D. : LICENSE

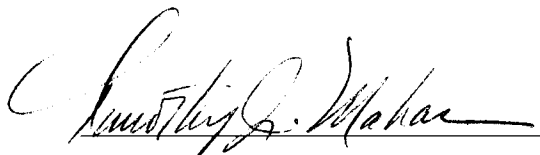
-----X

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

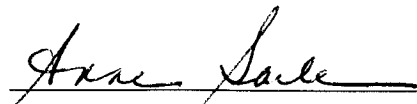
Date: 20 July, 1994

  
DEWITT T. COLLIER, JR., M.D.  
Respondent

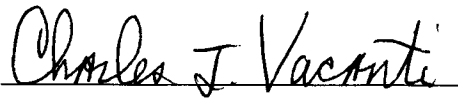
Date: July 25, 1994

  
TIMOTHY J. MAHAR  
Assistant Counsel  
Bureau of Professional  
Medical Conduct

Date: 11 Aug, 1994

  
for KATHLEEN M. TANNER  
Director, Office of  
Professional Medical Conduct

Date: 29 July, 1994

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

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

-----X

IN THE MATTER : STATEMENT  
OF : OF  
DEWITT T. COLLIER, JR., M.D. : CHARGES

-----X

DEWITT T. COLLIER, Jr., M.D., the Respondent, was authorized to practice medicine in New York State on July 1, 1971, by the issuance of license number 108681 by the New York State Education Department. Respondent is not currently registered with the New York State Education Department to practice medicine.

FACTUAL ALLEGATIONS

1. The State of California Medical Board, Division of Medical Quality, by order dated July 30, 1991, found Respondent guilty of professional misconduct by having committed, among other things, an act of gross negligence in violation of California Business and Professions Code §2234(b).
2. More specifically, the California Board found that on March 24, 1986, Respondent, as the anesthesiologist in a herniography procedure performed on patient Roderick O., among other things, failed to keep the patient adequately respirated during the procedure, and failed to note and treat signs of hypoxia which developed in



the patient. The patient subsequently suffered cardiac arrest, went into a coma, and died five weeks later without regaining consciousness.

3. The conduct upon which the California Board found Respondent guilty of professional misconduct, would, if committed in New York State, constitute professional misconduct under N.Y. Educ. Law §6530(4) [practicing the profession with gross negligence on a particular occasion].
4. The California Board, by Order dated July 31, 1991, found Respondent's ability to practice his profession safely to be impaired because of mental illness, in violation of California Business and Professions Code §822.
5. More specifically, on July 20, 1989, Respondent was diagnosed by a psychiatrist as having an "intermittent explosive disorder" as evidenced by a 1986 criminal conviction for battery, harassment of a former girl friend and her husband for approximately two years, and a series of verbal confrontations with the medical staff at a hospital at which Respondent worked.

In September, 1989, Respondent was diagnosed by a second psychiatrist as having a mixed personality disorder, characterized by an inclination to take

charge of situations in which the Respondent perceived chaos and an insistence that others follow his direction.

6. Respondent's violation of California Business and Professions Code §822 as determined by the California Board, would, if committed in New York State, constitute professional misconduct under N.Y. Educ. Law §6530(8) [having a psychiatric condition which impairs the licensee's ability to practice].
7. The California Board revoked Respondent's license, stayed revocation and placed Respondent on five years probation with certain conditions, including among others, that Respondent was suspended from the practice of medicine for 60 days, that Respondent submit to psychiatric evaluation and not practice medicine until notified that he is mentally fit to practice safely, and that Respondent's medical practice be monitored by another physician.

On February 7, 1992, the California Board notified Respondent that he had completed his psychiatric examination and that he could resume the practice of medicine subject to the other conditions of the July 30, 1991 Order.

8. Respondent, in the case of The People of the State of

California v. Dewitt T. Collier (Case No. M224758), was, upon a plea of nolo contendere, convicted of battery in violation of California Penal Code §242 in the Municipal Court of Long Beach Judicial District, County of Los Angeles on June 12, 1986.

9. More specifically, on or about February 25, 1986, did strike William Capone causing physical injury to that individual.
10. Respondent was sentenced to one year summary probation and was ordered to pay fines and penalties totaling \$510.00.
11. The act for which the Respondent was convicted would, if committed in New York State, have constituted a crime under N.Y. Penal Law §120.00 [assault in the third degree - causing physical injury to another person with the intent to do so].
12. Respondent, in the case of The People of the State of California v. Dewitt Talmage Collier, Jr. (Case No. 88R19580) was convicted of carrying a loaded firearm in violation of California Penal Code §12301(a) in the Municipal Court Of Los Angles, County of Los Angles, on June 8, 1988.
13. More specifically, on or about March 12, 1988, Los

Angeles police stopped the vehicle which Respondent was driving and observed a loaded pistol on the floor of the car.

14. Respondent was sentenced to 24 months probation, a \$750 fine, 112 hours of community service and 125 hours of Caltran service (collecting trash from the highways).
15. The act for which the Respondent was convicted would, if committed in New York State, have constituted a crime under N.Y. Penal Law §265.02(4) [criminal possession of a weapon in the third degree - possession of any loaded firearm].

#### SPECIFICATION OF CHARGES

##### FIRST SPECIFICATION

Respondent is charged with professional misconduct within the meaning of N.Y. Educ. Law §6530(9)(b) (McKinney Supp. 1994) by reason of his having been found guilty of improper professional practice or professional misconduct by a duly authorized professional disciplinary agency of another state, where the conduct upon which the finding is based would if committed in New York State, constitute professional misconduct under the laws of New York State, in that Petitioner charges:

1. The facts in paragraphs 1, 2 and 3.

SECOND SPECIFICATION

Respondent is charged with professional misconduct within the meaning of N.Y. Educ. Law §6530(9)(d) (McKinney Supp. 1994) by reason of having disciplinary action taken against his license to practice medicine by a duly authorized professional disciplinary agency of another state, where the conduct resulting in disciplinary action involving the license would, if committed in New York State, constitute professional misconduct under the laws of New York State, in that Petitioner charges:

2. The facts in paragraphs 4, 5, 6, and 7.

THIRD AND FOURTH SPECIFICATIONS

Respondent is charged with professional misconduct under N.Y. Educ. Law §6530(9)(iii) (McKinney Supp. 1994) by reason of his having been convicted of committing an act constituting a crime under the law of another jurisdiction and which, if committed in New York State, would have constituted a crime under New York State law, in that Petitioner charges:

3. The facts in paragraphs 8, 9, 10 and 11.

4. The facts in paragraphs 12, 13,14 and 15.

DATED: , 1994

Albany, New York

---

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