



**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.  
Commissioner  
NYS Department of Health  
Dennis P. Whalen  
Executive Deputy Commissioner  
NYS Department of Health  
Anne F. Saile, Director  
Office of Professional Medical Conduct

William P. Dillon, M.D.  
Chair

Denise M. Bolan, R.P.A.  
Vice Chair

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

August 31, 2000

**CERTIFIED MAIL-RETURN RECEIPT REQUESTED**

Robert J. Comizio, M.D.  
181 Long Hill Road  
Apartment 1-12  
Little Falls, New Jersey 07424

RE: License No. 092201

Dear Dr. Comizio:

Enclosed please find Order #BPMC 00-243 of the New York State Board for Professional Medical Conduct. This Order and any penalty provided therein goes into effect August 31, 2000.

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 to 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: Robert Bogan, Esq.

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

---

**IN THE MATTER**  
**OF**  
**ROBERT J. COMIZIO, M.D.**

**SURRENDER**  
**ORDER**  
BPMC No. 00-243

---

**Robert J. Comizio, M.D.,** says:

On or about June 24, 1964, I was licensed to practice medicine as a physician in the State of New York having been issued License No. 099201 by the New York State Education Department. I currently reside at 181 Long Hill Road, Apartment 1-12, Little Falls, New Jersey 07424. 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 the New York State Board for Professional Medical Conduct has charged me with two (2) 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 an agreement to allow me to surrender my license as a physician in the State of New York. I have never practiced medicine in the state of New York and do not intend to practice there in the future. I request that the Board issue this Surrender Order.

I hereby agree not to contest the two (2) specifications and Factual Allegations A and B(1) and B(4), set forth in the Statement of Charges (Exhibit A).

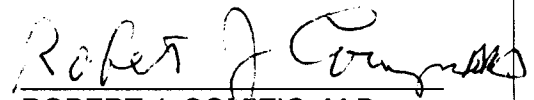
I understand that, in the event that this proposed agreement is not granted by the State Board for Professional Medical Conduct, nothing contained herein shall be binding upon me or construed to be an admission of any act of misconduct alleged or charged against me, such

proposed agreement 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 Board grants my Application, as set forth herein, an order of the Chairperson of the Board shall be issued in accordance with same upon issuance by the Board, which may be accomplished by mailing, by first class mail, a copy of the Order to me at the address set forth above, or to my attorney, or upon transmission via facsimile to me or my attorney, whichever is first.

I am making this agreement of my own free will and accord and not under duress, compulsion, or restraint of any kind of manner.

Date: 8/22, 2000

  
ROBERT J. COMIZIO, M.D.  
Respondent

AGREED TO:

Date: 24 Aug, 2000

  
ROBERT BOGAN  
Assistant Counsel  
Bureau of Professional Medical  
Conduct

Date: Aug 24, 2000


  
ANNE F. SAILE  
Director, Office of Professional  
Medical Conduct

EXHIBIT "A"

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

---

**IN THE MATTER**  
**OF**  
**ROBERT J. COMIZIO, M.D.**

---

**STATEMENT**  
**OF**  
**CHARGES**

ROBERT J. COMIZIO, M.D., the Respondent, was authorized to practice medicine in New York state on June 24, 1964, by the issuance of license number 092201 by the New York State Education Department.

**FACTUAL ALLEGATIONS**

A.        On or about December 1, 1999, the State of New Jersey, Department of Law & Public Safety, Division of Consumer Affairs, State Board of Medical Examiners (hereinafter "New Jersey Board"), by a Consent Order (hereinafter "New Jersey Order"), reprimanded the Respondent, required him to enroll in and successfully complete an ethics course and record keeping course, to serve forty (40) hours community service in a non-medical capacity, and to pay a penalty of \$2500.00, based upon his failure to take appropriate action after identifying an abnormality in a patient's breasts resulting in delay in diagnosis and treatment.

B.        The conduct resulting in the New Jersey Board's disciplinary action against Respondent would constitute misconduct under the laws of New York state, pursuant to the following sections of New York state law:

1.        New York Education Law §6530(3) (negligence on more than one occasion);
2.        New York Education Law §6530(4) (gross negligence);

3. New York Education Law §6530(5) (incompetence on more than one occasion); and/or

4. New York Education Law §6530(6) (gross incompetence).

**SPECIFICATION**  
**FIRST SPECIFICATION**

Respondent violated New York Education Law §6530(9)(b) by 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 was 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 A and/or B.

**SECOND SPECIFICATION**

Respondent violated New York Education Law §6530(9)(d) by reason of having had disciplinary action taken, after a disciplinary action was instituted by a duly authorized professional disciplinary agency of another state, where the conduct resulting in the disciplinary action, 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 A and/or B.

DATED: *Aug 11*, 2000  
Albany, New York

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

**ORDER**

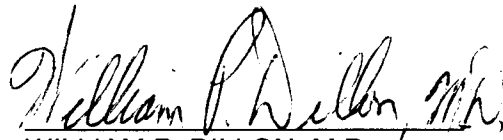
Upon the proposed agreement of **Robert J. Comizio, M.D.**, to Surrender his license as a physician in the State of New York, which proposed agreement is made a part hereof, it is AGREED TO and

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

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

ORDERED, that this Order shall be effective upon issuance by the Board, which may be accomplished by mailing, by first class mail, a copy to Respondent at the addresses set forth in this agreement, or to Respondent's attorney, or upon transmission via facsimile to Respondent or Respondent's attorney, whichever is earliest.

DATED: 8/28, 2000



WILLIAM P. DILLON, M.D.  
Chair  
State Board for Professional  
Medical Conduct