



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

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Chair

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

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

September 21, 2000

CERTIFIED MAIL-RETURN RECEIPT REQUESTED

Del Dalton, M.D.
30041 Tessier #65
Laguna Niguel, California 29677

RE: License No. 167807

Dear Dr. Dalton:

Enclosed please find Order #BPMC 00-261 of the New York State Board for Professional Medical Conduct. This Order and any penalty provided therein goes into effect September 21, 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
DEL B. DALTON, M.D.

SURRENDER
ORDER
BPMC No. 00-261

DEL B. DALTON, M.D., says:

On or about September 5, 1986, I was licensed to practice medicine as a physician in the State of New York having been issued License No. 167807 by the New York State Education Department. I currently reside at 30041 Tessier #65, Laguna Niguel, California 92677. 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 three (3) 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 and request that the Board issue this Surrender Order.

I hereby agree not to contest the three (3) specifications as 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: Sept. 18, 2000

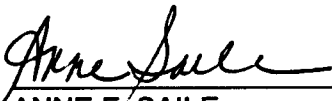

DEL B. DALTON, M.D.
Respondent

AGREED TO:

Date: 19 September, 2000


ROBERT BOGAN
Assistant Counsel
Bureau of Professional Medical
Conduct

Date: September 21, 2000


ANNE F. SAILE
Director, Office of Professional
Medical Conduct

ORDER

Upon ~~the~~ proposed agreement of DEL B. DALTON, 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: 9/21/00, 2000

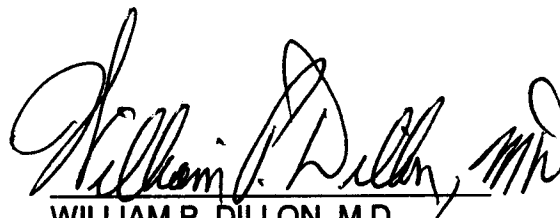

WILLIAM P. DILLON, M.D.
Chair
State Board for Professional
Medical Conduct

Exhibit A

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

IN THE MATTER
OF
DEL B. DALTON, M.D.

STATEMENT
OF
CHARGES

DEL B. DALTON, M.D., the Respondent, was authorized to practice medicine in New York state on September 5, 1986, by the issuance of license number 167807 by the New York State Education Department.

FACTUAL ALLEGATIONS

A. On or about July 9, 1999, in the Superior Court of California, County of Orange, South Justice, Respondent was found guilty of four (4) counts of Sexual Battery, a misdemeanor, and two (2) counts of False Information Regarding Profession, a misdemeanor, and on March 20, 2000, was sentenced to three (3) years Formal Probation with terms and conditions, \$5,000.00 fine, \$7,000.00 restitution, and one (1) year jail.

B. On or about June 20, 2000, the Division of Medical Quality, Medical Board of California, Department of Consumer Affairs (hereinafter "California Board"), by a Decision (hereinafter "California Decision"), revoked Respondent's certificate to practice medicine and ordered him to pay \$52,093.94 reimbursement costs, based upon sexual misconduct, sexual assault, repeated negligent acts, and dishonest and corrupt acts.

C. ~~The~~ conduct resulting in the California 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(20) (moral unfitness);
3. New York Education Law §6530(26) (performing professional services, not duly authorized); and/or
4. New York Education Law §6530 (31) (harassing, abusing, or intimidating a patient).

SPECIFICATIONS

FIRST SPECIFICATION

Respondent violated New York Education Law §6530(9)(a)(iii) by reason of having been convicted of committing an act constituting a crime under the law of another jurisdiction and which, if committed within this state, would have constituted a crime under New York state law, in that Petitioner charges:

1. The facts in paragraph A.

SECOND SPECIFICATION

Respondent violated New York Education Law §6530(9)(a)(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:

2. The facts in paragraphs B and/or C.

THIRD SPECIFICATION

Respondent violated New York Education Law §6530(9)(d) by reason of having had his license to practice medicine revoked or having other 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 revocation or other disciplinary action, would, if committed in New York state, constitute professional misconduct under the laws of New York state, in that Petitioner charges:

3. The facts in paragraphs B and/or C.

DATED: *July 24*, 2000
Albany, New York



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