



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

October 18, 1994

CERTIFIED MAIL-RETURN RECEIPT REQUESTED

Edward M. Daniels, M.D.
26 Lyman Road
Chestnut Hill, Ma. 02167

RE: License No. 048097
Effective Date: 10/25/94

Dear Dr. Daniels:

Enclosed please find Order #BPMC 94-220 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

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IN THE MATTER :
OF : ORDER
EDWARD M. DANIELS, M.D. : BPMC #94-220

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Upon the Application of EDWARD M. DANIELS, 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

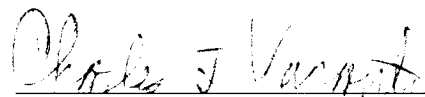
ORDERED, that the application and the provisions thereof are hereby adopted; it is further

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: 13 October 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
EDWARD M. DANIELS, M.D. : LICENSE

-----X

STATE OF MASSACHUSETTS)

ss.:

COUNTY OF NORFOLK)

EDWARD M. DANIELS, M.D., being duly sworn, deposes and says:

On or about December 2, 1948, I was licensed to practice medicine as a physician in the State of New York having been issued License No. 048097 by the New York State Education Department.

I am not currently registered to practice medicine in New York State.

I understand that I have been charged with one specification 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 cannot successfully defend against the charge set forth in the Specification of 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.

EDWARD M. DANIELS, M.D.
Respondent

Sworn to before me this
3rd day of Oct , 1994



NOTARY PUBLIC

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

-----X

IN THE MATTER : APPLICATION TO
TO : SURRENDER
EDWARD M. DANIELS, M.D. : LICENSE

-----X

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

Date: Oct. 3, 1994

EDWARD M. DANIELS, M.D.
Respondent

Date: Oct. 3, 1994

William H. Rowerdink III
WILLIAM H. ROWERDINK III
Attorney for Respondent

Date: _____, 1994

CINDY M. FASCIA
Associate Counsel
Bureau of Professional
Medical Conduct

Date: Sept. 11, 1994

KATHLEEN M. TANNER
Director, Office of
Professional Medical Conduct

Date: 12 Octob, 1994

Charles J. Vacanti
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
EDWARD DANIELS, M.D. : CHARGES

-----X

EDWARD DANIELS, M.D., the Respondent, was authorized to practice medicine in New York State on December 2, 1948, by the issuance of license number 048097 by the New York State Education Department. The Respondent is not currently registered with the New York State Education Department.

FACTUAL ALLEGATIONS

1. On or about June 24, 1992, the Massachusetts Board of Registration in Medicine, the duly authorized professional disciplinary agency of that state, issued a Final Decision and Order finding Respondent guilty of professional misconduct, and revoking Respondent's license to practice medicine in Massachusetts.
2. Respondent, a psychiatrist, was found guilty of having engaged in sexual contact, including sexual intercourse, with four of his female patients. Respondent's sexual contact with these patients occurred in Respondent's office during the course of therapy sessions.

3. Respondent was found guilty of having committed "conduct which undermines public confidence in the integrity of the medical profession" and/or "conduct which demonstrates a lack of good moral conduct." The Board found that Respondent's conduct "involve[d] a serious departure from good and accepted medical practice and a complete abuse of patient trust and confidence." The Board found that "the pattern, nature, extent and severity of [Respondent's] misconduct, including the number of patients involved [was] so egregious" that there were "no circumstances whereby the Respondent could satisfactorily demonstrate that he has been rehabilitated to the extent that he could be entrusted with another license to practice medicine."
4. Respondent was found guilty of violating Massachusetts General Laws c. 112, ss. 5(c) [gross misconduct in the practice of medicine/practicing medicine fraudulently or beyond the authorized scope/practicing with gross incompetence or with gross negligence on a particular occasion or negligence on repeated occasions], as well as 61, 62, and 243 CMR 1.03(5)(a)(3), (5) and (18).
5. Respondent's conduct upon which the Massachusetts Board's finding of guilt was based would, if committed in New York state, constitute professional misconduct under the laws of New York state, specifically N.Y. Educ. Law §6530(20) [conduct in the practice of medicine which evidences moral unfitness to practice medicine]; and/or N.Y. Educ. Law

§6530(2) [practicing fraudulently or beyond the authorized scope]; and/or N.Y. Educ. Law §6530(4) [practicing with gross negligence on a particular occasion]; and/or N.Y. Educ. Law §6530(6) [practicing with gross incompetence]; and/or N.Y. Educ. Law §6530(3) [practicing with negligence on more than one occasion]; and/or N.Y. Educ. Law §6530(4a) [in the practice of psychiatry, engaging in any physical contact of a sexual nature with a patient].

FIRST SPECIFICATION

Respondent is charged with professional misconduct pursuant to 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 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 1 through 5.

DATED: *September 12* 1994
Albany, New York

Peter D. Van Buren

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