



**Board for Professional Medical Conduct**

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

**C. Maynard Guest, M.D.**  
Executive Secretary

August 13, 1992

**CERTIFIED MAIL-RETURN RECEIPT REQUESTED**

Sablon Dartique, M.D.  
414 Titus Way  
E. Williston, New York 11596

RE: License No. 132188  
Effective Date 08/20/92

Dear Dr. Dartique:

Enclosed please find Order #BPMC 92-67 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 12237-0614

Sincerely,

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

Enclosure

cc: Jeffrey Rubin, Esq.  
1515 Madison Avenue  
New York, New York 10022

David W. Smith, Esq.

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

-----X

IN THE MATTER :  
OF : ORDER  
SABLON DARTIQUE, M.D. : BPMC #92-67

-----X

Upon the application of Sablon Dartique, 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: 11 August 1992

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

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IN THE MATTER : APPLICATION  
OF : FOR  
SABLON DARTIQUE, M.D. : CONSENT  
: ORDER  
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STATE OF NEW YORK )  
) ss.:  
COUNTY OF NEW YORK )

SABLON DARTIQUE, M.D., being duly sworn, deposes and says:

That on or about September, 16, 1977 I was licensed to practice as a physician in the State of New York, having been issued License No. 132188 by the New York State Education Department.

I am currently registered with the New York State Education Department to practice as a physician in the State of New York for the period January 1, 1991 through December 31, 1992. My address is 414 Titus Way, E. Williston, New York.

I understand that the New York State Board for Professional Medical Conduct has charged me with seventeen (17) 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 to the following Specifications in full satisfaction of the Charges:

1. The Twelfth Specification and the facts contained in Paragraphs A and A1,5, 7; B and B1-5; C and C1-5; and D and D1-4.
2. The Fourteenth through Sixteenth Specification and the facts in Paragraphs A and A1-6; B and B1-6; C and C1-3.

I hereby agree to the penalty that my license to practice as a physician in the State of New York be suspended for a period of two (2) years but said suspension be stayed for a period of two (2) years and that I be put on probation for such 2-year period in accordance with the Terms of Probation set forth in Exhibit "B" attached hereto and made a part of hereof.

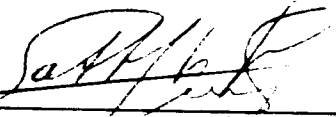
I hereby make this Application to the State Board for Professional Medical Conduct (the Board) and request that it be granted.

I understand that in the event 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, and 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. Any 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 N.Y. 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.

  
SABLON DARTIQUE, M.D.  
Respondent

Sworn to before me this  
21<sup>st</sup> day of May, 1992.

  
NOTARY PUBLIC

DAVID CHEUNG YIN CHEUNG  
Notary Public, State of New York  
No. 24-02CH4971992  
Qualified in Kings County  
Commission Expires September 17, 1992


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

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IN THE MATTER : APPLICATION  
OF : FOR  
SABLON DARTIQUE, M.D. : CONSENT  
: ORDER  
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The undersigned agree to the attached application of the Respondent and to the proposed penalty based on the terms and conditions thereof.

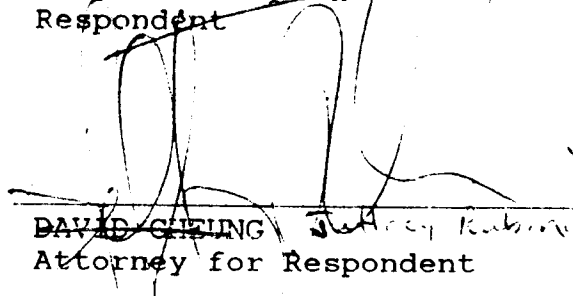
Date:

5/21/92

  
SABLON DARTIQUE  
Respondent

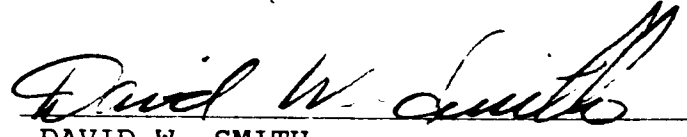
Date:

5/29/92

  
DAVID GELLING  
Attorney for Respondent

Date:

6/2/92

  
DAVID W. SMITH  
Assistant Counsel  
Bureau of Professional  
Medical Conduct

Date: August 12, 1992

Kathleen M. Tanner

KATHLEEN M. TANNER  
Director  
Office of Professional  
Medical Conduct

Date: 11 August 1992

Charles J. Vacanti

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

EXHIBIT "A"

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

-----X  
IN THE MATTER : STATEMENT  
OF : OF  
SABLON DARTIQUE, M.D. : CHARGES  
-----X

SABLON DARTIQUE, M.D., Respondent, was authorized to practice medicine in New York State on September 16, 1977 by the issuance of license number 132188. Respondent is currently registered for the period January 1, 1991 through December 31, 1992.

FACTUAL ALLEGATIONS

A. Between in or about September, 1987, and in or about August, 1988, Respondent treated Patient A for anxiety and other conditions at his medical offices at 650 Lenox Avenue, New York, NY 10037. (This patient and all other patients are identified in the Appendix)

1. Respondent failed throughout the period to obtain and note an adequate history.
2. Respondent failed throughout the period to perform and note an adequate physical examination.



3. In or about September, 1987, Respondent diagnosed Patient A with epilepsy. Despite this, Respondent failed to perform, order or note indicated laboratory and diagnostic tests, and failed to refer Patient A for specialized care or note such referral, if any.
  
4. In or about September, 1987, Respondent diagnosed Patient A as having anemia. Nevertheless, Respondent failed to order, perform or note indicated laboratory and diagnostic tests and failed to treat the anemia.
  
5. In or about May, 1988, Respondent diagnosed Patient A as having a gastric ulcer. Nevertheless, Respondent failed to order, perform and note appropriate laboratory and diagnostic tests and procedures. Further, Respondent inappropriately prescribed non-steroidal anti-inflammatory drugs.

6. At various times during 1988, Respondent inappropriately performed blood chemistries on Patient A as well as spirometry, a Doppler study of the ankles and a vascular evaluation. Respondent failed to note any condition which indicated the need for such tests and, in fact, such tests were not warranted by the condition of Patient A.

7. At each visit made throughout the period Respondent inappropriately prescribed controlled substances including, Valium and Ativan.

B. Between in or about August, 1986 and in or about October, 1988, Respondent treated Patient B for backache and other medical conditions at his medical office at 650 Lenox Avenue, New York, NY 10037.

1. Respondent failed throughout the period to obtain and note an adequate history.

2. Respondent failed throughout the period to perform and note an adequate physical examination.
3. In or about August, 1986, and again in or about February and March of 1987, Respondent diagnosed Patient B as having vaginitis. Nevertheless, Respondent failed to order, perform or note appropriate laboratory or diagnostic tests and procedures.
4. In or about September and December, 1986, Respondent noted the blood pressure of Patient B as 120/72 and 150/96, respectively, and incorrectly diagnosed hypertension. Respondent repeatedly and inappropriately prescribed Aldomet and Lasix and failed to monitor the effect of such drugs on Patient B, or failed to note such monitoring, if any.
5. In or about October, 1986, Respondent diagnosed Patient B as pregnant. Nevertheless, Respondent failed to

order, perform or note indicated laboratory and diagnostic tests until approximately five (5) months later, and failed to treat her or refer her for pre-natal care or note any such treatment or referral.

6. In or about June and October, 1988, Respondent inappropriately caused to be performed on Patient B blood chemistries and spirometry. Respondent failed to note any condition which indicated the need for such tests and, in fact, such tests were not warranted by the condition of Patient B.

C. Between in or about February 1988 and September 1988, Respondent treated Patient C for anxiety and other conditions at his medical offices at 650 Lenox Avenue, New York, NY 10037.

1. Respondent failed throughout the period to obtain and note an adequate history.

2. Respondent failed throughout the period to perform and note an adequate physical examination.
3. In or about February 1988, Respondent diagnosed Patient C as having a gastric ulcer which, according to Respondent's notes, had been diagnosed previously by the Veterans Administration Hospital. Respondent failed to order, perform or note appropriate laboratory and diagnostic tests and procedures and also failed to obtain the results of any such tests from the Veterans Administration Hospital.
4. Despite the diagnosis of gastric ulcer, Respondent continued to inappropriately prescribe non-steroidal anti-inflammatory medications.
5. At almost every visit, Respondent inappropriately prescribed controlled substances such as Valium or Sinequan.

D. Between in or about August, 1987, and in or about July, 1988, Respondent treated Patient D for nervousness and other conditions at his medical offices at 650 Lenox Avenue, New York, NY 10037.

1. Respondent failed throughout the period to obtain and note an adequate history.
2. Respondent failed throughout the period to perform and note an adequate physical examination.
3. In or about August, 1987, Respondent diagnosed Patient D as having a gastric ulcer, which, according to Respondent's notes, had been previously diagnosed by Jacobi Hospital. Nevertheless, Respondent failed to perform, order or note appropriate laboratory and diagnostic tests and procedures and also failed to obtain the results of any such tests from Jacobi Hospital.
4. Respondent inappropriately prescribed controlled substances for Patient D at

almost every visit, including Valium and Sinequan.

5. In or about July, 1988, Respondent inappropriately performed spirometry tests on Patient D. Respondent failed to note any condition which indicated the need for these tests and, in fact, such tests were not warranted by the condition of Patient D.

#### SPECIFICATION OF CHARGES

#### FIRST THROUGH FOURTH SPECIFICATIONS

#### PRACTICING WITH GROSS NEGLIGENCE

Respondent is charged with practicing the profession with gross negligence under N.Y. Educ. Law Section 6509(2)(McKinney 1985), in that Petitioner charges:

1. The facts in Paragraphs A and A1-5 and 7;
2. The facts in Paragraphs B and B1-5;

3. The facts in Paragraphs C and C1-5;

4. The facts in Paragraphs D and D1-4.

FIFTH THROUGH EIGHTH SPECIFICATIONS

PRACTICING WITH GROSS INCOMPETENCE

Respondent is charged with practicing the profession with gross incompetence under N.Y. Educ. Law Section 6509(2)(McKinney 1985), in that Petitioner charges:

5. The facts in Paragraphs A and A1-5 and  
7;

6. The facts in Paragraphs B and B1-5;

7. The facts in Paragraphs C and C1-5;

8. The facts in Paragraphs D and D1-4.

NINTH THROUGH ELEVENTH SPECIFICATIONS

UNPROFESSIONAL CONDUCT

Respondent is charged with unprofessional conduct under N.Y. Educ. Law Section 6509(9)(McKinney 1985), in that he ordered



excessive tests, treatment or use of treatment facilities not warranted by the condition of the patient in violation of 8 NYCRR 29.2(a)(7)(1989). Petitioner specifically charges:

9. The facts in Paragraphs A and A6;

10. The facts in Paragraphs B and B6;

11. The facts in Paragraphs D and D5.

TWELFTH SPECIFICATION

PRACTICING WITH NEGLIGENCE ON  
MORE THAN ONE OCCASION

Respondent is charged with practicing the profession with negligence on more than one occasion in that Petitioner charges that Respondent committed at least two of the following:

12. The facts contained in Paragraphs A and A1-5 and 7; B and B1-5; C and C1-5; and/or D and D1-4.

THIRTEENTH SPECIFICATION

PRACTICING WITH INCOMPETENCE

ON MORE THAN ONE OCCASION

Respondent is charged with practicing the profession with incompetence on more than one occasion under N.Y. Educ. Law Section 6509(2)(McKinney 1985), in that Petitioner charges that Respondent committed at least two of the following:

13. The facts contained in Paragraphs A and A1-5 and 7; B and B1-5; C and C1-5; and/or D and D1-4.

FOURTEENTH THROUGH SEVENTEENTH SPECIFICATION

UNPROFESSIONAL CONDUCT

Respondent is charged with unprofessional conduct under N.Y. Educ. Law Section 6509(9)(McKinney 1985) in that he failed to maintain a record for each patient which accurately reflects his evaluation and treatment of the patient within the meaning of 8 NYCRR 29.2(a)(3)(1989). Specifically, Petitioner charges:

14. The facts in Paragraphs A and A1-6;
15. The facts in Paragraphs B and B1-6;
16. The facts in Paragraphs C and C1-3;

17. The facts in Paragraphs D and D1-3 and  
5.

DATED: New York, New York

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CHRIS STERN HYMAN  
Counsel  
Bureau of Professional Medical  
Conduct

## EXHIBIT "B"

### TERMS OF PROBATION

1. SABLON DARTIQUE, M.D., Respondent, during the period of probation, shall conduct himself in all ways in a manner befitting his professional status, and shall conform fully to the moral and professional standards of conduct imposed by law and by his 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 Health Department, Corning Tower Building, 4th Floor, Empire State Plaza Albany, New York 12237 of any employment and practice, of Respondent's residence and telephone number, 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, no later than the first three months of the period of probation;
4. Should Respondent reside or practice outside of New York State, he shall notify the Director of OPMC in writing at the address above, Certified Mail, Return Receipt Requested, of the dates of his departure and return. Periods of residency or practice outside the State shall toll the probationary period for the duration of such out-of-state residency or practice;
5. 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;

6. During the term of this probation, at the Respondent's expense, the practice of Respondent shall be under the supervision of a licensed physician, selected by the Respondent and approved by the Director of OPMC. Such supervision may include unannounced review of patient records, unannounced actual observation of treatment of patients, unannounced review of the ordering practices of Respondent regarding controlled substances, interviews of Respondent and any other reasonable means of monitoring Respondent's practice.
7. As long as there is full compliance with every term herein set forth, Respondent may continue to practice his profession in accordance with the terms. However, in the event of noncompliance with or violation of this Probation, the Director of the Office of Professional Medical Conduct and/or the State Board for Professional Medical Conduct may initiate a Violation of Probation Proceeding or any other proceeding authorized by the N.Y. Public Health Law.