

Public

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

IN THE MATTER
OF
ANTHONY CASAMASSIMA, M.D.
CO-12-08-3839-A

COMMISSIONER'S
ORDER
AND
NOTICE OF
HEARING

TO: Anthony Casamassima, M.D.


The undersigned, Nirav R. Shah, M.D., M.P.H., Commissioner of Health, pursuant to New York Public Health Law §230, upon the recommendation of a Committee on Professional Medical Conduct of the State Board for Professional Medical Conduct, has determined that **ANTHONY CASAMASSIMA, M.D.**, Respondent, licensed to practice medicine in the State of New York on March 28, 1986, by license number 165728, has been convicted of committing an act constituting a felony under New York law, in the Suffolk County Court, State of New York, as is more fully set forth in the Statement of Charges attached, hereto, and made a part, hereof.

It is, therefore:

ORDERED, pursuant to New York Public Health Law §230(12)(b), effective immediately **ANTHONY CASAMASSIMA, M.D.**, shall not practice medicine in the State of New York or in any other jurisdiction where that practice is predicated on a valid New York State license to practice medicine.

ANY PRACTICE AS A PHYSICIAN IN VIOLATION OF THIS COMMISSIONER'S ORDER SHALL CONSTITUTE PROFESSIONAL MISCONDUCT WITHIN THE MEANING OF NEW YORK EDUCATION LAW §6530(29) AND MAY CONSTITUTE UNAUTHORIZED MEDICAL PRACTICE, A FELONY, DEFINED BY NEW YORK EDUCATION LAW §6512.

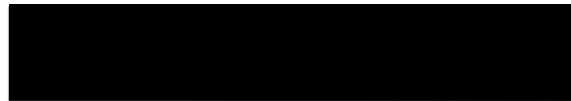
admitted. You may wish to seek the advice of counsel prior to filing such answer. The answer shall be filed with the Bureau of Adjudication, at the address indicated above, and a copy shall be forwarded to the attorney for the Department of Health whose name appears below.

Pursuant to §301(5) of the State Administrative Procedure Act, the Department, upon reasonable notice, will provide at no charge a qualified interpreter of the deaf to interpret the proceedings to, and the testimony of, any deaf person. Pursuant to the terms of N.Y. State Admin. Proc. Act §401 and 10 N.Y.C.R.R. §51.8(b), the Petitioner hereby demands disclosure of the evidence that the Respondent intends to introduce at the hearing, including the names of witnesses, a list of and copies of documentary evidence and a description of physical or other evidence which cannot be photocopied.

At the conclusion of the hearing, the committee shall make findings of fact, conclusions concerning the charges sustained or dismissed, and in the event any of the charges are sustained, a determination of the penalty to be imposed or appropriate action to be taken. Such determination may be reviewed by the Administrative Review Board for Professional Medical Conduct.

THESE PROCEEDINGS MAY RESULT IN A DETERMINATION THAT YOUR LICENSE TO PRACTICE MEDICINE IN NEW YORK STATE BE REVOKED OR SUSPENDED, AND/OR THAT YOU BE FINED OR SUBJECT TO OTHER SANCTIONS SET OUT IN NEW YORK PUBLIC HEALTH LAW §§230-a. YOU ARE URGED TO OBTAIN AN ATTORNEY TO REPRESENT YOU IN THIS MATTER.

DATE 6/20/13



Nirav R. Shah, M.D., M.P.H.
Commissioner of Health
New York State Health Department

Inquiries should be directed to:
Michael G. Bass, Assistant Counsel
Bureau of Professional Medical Conduct
Corning Tower – Room 2512
Empire State Plaza
Albany, NY 12237
(518) 473-4282

SECURITY NOTICE TO THE LICENSEE

The proceeding will be held in a secure building with restricted access. Only individuals whose names are on a list of authorized visitors for the day will be admitted to the building

No individual's name will be placed on the list of authorized visitors unless written notice of that individual's name is provided by the licensee or the licensee's attorney to one of the Department offices listed below.

The written notice may be sent via facsimile transmission, or any form of mail, but must be received by the Department **no less than two days prior to the date** of the proceeding. The notice must be on the letterhead of the licensee or the licensee's attorney, must be signed by the licensee or the licensee's attorney, and must include the following information:

Licensee's Name _____ Date of Proceeding _____

Name of person to be admitted _____

Status of person to be admitted _____
(Licensee, Attorney, Member of Law Firm, Witness, etc.)

Signature (of licensee or licensee's attorney)

This written notice must be sent to:

New York State Health Department
Bureau of Adjudication
Riverview Center
150 Broadway - Suite 510
Albany, NY 12204-2719
Fax: 518-402-0751

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OF
ANTHONY CASAMASSIMA, M.D.
CO-12-08-3839-A

STATEMENT
OF
CHARGES

ANTHONY CASAMASSIMA, M.D., the Respondent, was authorized to practice medicine in New York state on or about March 28, 1986, by the issuance of license number 165728 by the New York State Education Department.

FACTUAL ALLEGATIONS

A. On or about January 11, 2012, in the Suffolk County Court, State of New York, Respondent pled guilty to Grand Larceny in the Third Degree, in violation of New York State Penal Law Section 155.35, a felony, and Petit Larceny, in violation of New York State Penal Law Section 155.25, a misdemeanor. On or about May 31, 2012, in the Suffolk County Court, State of New York, Respondent was sentenced, *inter alia*, to five (5) years of probation and ordered to pay approximately \$32,000 in restitution.

B. On or about October 18, 2010, in Suffolk County Court, Respondent was arraigned on a criminal charge that he later pled guilty to on January 11, 2012.

C. On or about October 6, 2011, Respondent prepared and/or submitted to the New York State, Education Department, a Registration Renewal Document, wherein he falsely answered "No" to the question "Since your last registration application, 3. Are criminal charges pending against you in any court?"

SPECIFICATIONS

FIRST SPECIFICATION

Respondent violated New York Education Law Section 6530(9)(a)(i) by being convicted of committing an act constituting 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 Section 6530(2) by practicing the profession fraudulently, in that Petitioner charges:

2. The facts in Paragraphs B and C.

DATED: *June 13*, 2013
Albany, New York



MICHAEL A. HISER
Acting Deputy Counsel
Bureau of Professional Medical Conduct