



**Board for Professional Medical Conduct**

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

Barbara A. DeBuono, M.D., M.P.H.  
Commissioner

C. Maynard Guest, M.D.  
Executive Secretary

February 21, 1995

**CERTIFIED MAIL - RETURN RECEIPT REQUESTED**

Daniel Davis, M.D.  
43 Crescent Street  
Greenfield, Massachusetts 01301-3007

RE: License No. 119816  
Effective Date: 02/28/95

Dear Dr. Davis:

Enclosed please find Order #BPMC 95-39 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

cc: Lee Dunn, Jr., Esq.  
Suite 902  
40 Broad Street  
Boston, MA 02109

Jean Bresler, Esq.

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

IN THE MATTER  
OF  
DANIEL DAVIS, M.D.

SURRENDER  
ORDER  
BPMC #95-39

Upon the Application of DANIEL DAVIS, M.D. (Respondent) to Surrender his/her 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: 14 February 1995

Charles J. Vacanti

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

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

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          IN THE MATTER  
  
                  OF  
  
          DANIEL DAVIS, M.D.  
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:  
:                   **APPLICATION TO**  
:  
:                   **SURRENDER**  
:  
:                   **LICENSE**  
:

STATE OF NEW YORK     )  
                               ss.:  
COUNTY OF NEW YORK    )

DANIEL DAVIS, M.D., being duly sworn, deposes and says:

On or about April 16, 1974, I was licensed to practice as a physician in the State of New York having been issued License No. 119816 by the New York State Education Department.

I am not currently registered with the New York State Education Department to practice as a physician in the State of New York. My current address is 43 Crescent Street, Greenfield, MA. 01301-3007.

I understand that I have been charged with two specification(s) 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 agree not to contest the specification(s) set forth in Exhibit "A" in full satisfaction of the charges against me.

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.

*Daniel Davis MD*

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DANIEL DAVIS, M.D.  
Respondent

Sworn to before me this  
23rd day of January , 1995

*Margalee O. Riggan*

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NOTARY PUBLIC

Margalee O. Riggan My commission expires 6/7/96

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

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IN THE MATTER

OF

DANIEL DAVIS, M.D.

: APPLICATION TO  
:  
: SURRENDER  
:  
: LICENSE  
:

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

Date: January 31, 1995

Daniel Davis MD

DANIEL DAVIS, M.D.  
Respondent

Date: January 30, 1995

Lee Dunn, Jr.

LEE DUNN, JR. ESQ.  
Attorney for Respondent

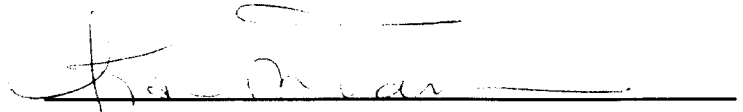
Date: Feb. 8, 1995

Jean Bresler

JEAN BRESLER  
Associate Counsel  
Bureau of Professional  
Medical Conduct

DANIEL DAVIS, M.D.

Date: Feb. 13, 1995



KATHLEEN M. TANNER  
Director, Office of Professional  
Medical Conduct

Date: 14 February 1995



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  
DANIEL DAVIS, M.D. : CHARGES  
-----X

DANIEL DAVIS, M.D., the Respondent, was authorized to practice medicine in New York State on April 6, 1974 by the issuance of license number 11986 by the New York State Education Department. The Respondent is currently registered with the New York State Education Department to practice medicine for the period

FIRST SPECIFICATION

- A. The Respondent is charged with professional misconduct within the meaning of N.Y. Educ. Law Section 6530(9)(d) (McKinney Supp. 1994) in that he had disciplinary action taken against his license 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 misconduct under the laws of New York State, in that:



On or about March 9, 1994, the Board of Registration in Medicine for the Commonwealth of Massachusetts charged the Respondent pursuant to G.L.C. 112, Sec. 5(c) and CMR 1.03 (5) (a) (3), with putting his mouth on one patient's breasts and asking inappropriate sexual questions of other patients without medical purpose.

On or about March 9, 1994, the Board of Registration in Medicine accepted a Consent Judgement signed by the Respondent wherein he admitted to the above factual allegations. The Respondent's license to practice medicine in the State of Massachusetts was suspended for five years. He was permitted to petition for reinstatement at the conclusion of one year. He was placed upon probation which includes therapy and reports to the Massachusetts Board.

This conduct of committed in the State of New York would constitute A violation of N.Y. Educ. Law Section 6530(31) (McKinney Supp. 1994) willfully harassing or abusing a patient either physically or verbally.

SECOND SPECIFICATION

B. The Respondent is charged with professional misconduct within the meaning of N.Y. Educ. Law Section 6530(9)(b) (McKinney Supp. 1994) in that he has been found guilty of improper professional practice 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 law of New York State in that: Petitioner repeats the factual allegations set forth in the First Specification above.

DATED: New York, New York

*December 1, 1994*



CHRIS STERN HYMAN  
COUNSEL  
Bureau of Professional Medical  
Conduct