



Department
of Health

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Acting Commissioner

SALLY DRESLIN, M.S., R.N.
Executive Deputy Commissioner

May 5, 2015

CERTIFIED MAIL-RECEIPT REQUESTED

Ren Bang Jan, M.D.



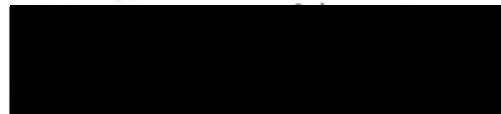
Re: License #143966

Dear Dr. Jan:

Enclosed is a copy of the New York State Board for Professional Medical Conduct (BPMC) Order No. 15-114. This Order of Conditions pursuant to Public Health Law Section 230 is effective May 12, 2015.

Please direct any questions to: Board for Professional Medical Conduct, 90 Church Street, 4th Floor, New York, NY 10007-2919, telephone # 212-417-4445.

Sincerely,



Katherine A. Hawkins, M.D., J.D.
Executive Secretary
Board for Professional Medical Conduct

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

**IN THE MATTER
OF
REN BANG JAN, M.D.**

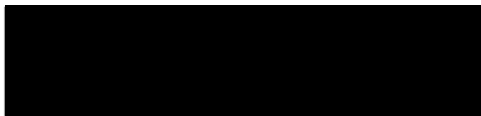
**ORDER
OF CONDITIONS
PURSUANT TO
N.Y. PUB. HEALTH
LAW § 230**

Upon the application of REN BANG JAN, M.D. (Licensee) in the attached Stipulation and Application for an Order of Conditions Pursuant to N.Y. Pub. Health Law § 230 (Application), which is made a part of this Order of Conditions Pursuant to N.Y. Pub. Health Law § 230 (Order), it is agreed that:

- the Application and its terms are adopted; and
- this Order shall be effective upon issuance by the Board, either by mailing of a copy of this Order by first class mail to Licensee at the address in the attached Application or by certified mail to Licensee's attorney, or upon facsimile transmission to Licensee or Licensee's attorney, whichever is first.

SO ORDERED.

DATE: 5/4/2015



ARTHUR S. HENGERER, M.D.
Chair
State Board for Professional Medical Conduct

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

**IN THE MATTER
OF
REN BANG JAN, M.D.**

APPLICATION FOR
ORDER OF
CONDITIONS
PURSUANT TO
N.Y. PUB. HEALTH
LAW § 230

REN BANG JAN, M.D., represents that all of the following statements are true:

That on or about October 24, 1980, I was licensed to practice as a physician in the State of New York and issued License No. 143966 by the New York State Education Department. I am currently retired from the practice of medicine.

My current address is [REDACTED]

and I will advise the Director of the Office of Professional Medical Conduct of any change of address. I am not affiliated with any hospitals or facilities. My most recent affiliations were with the following hospitals and/or facilities:

The Brooklyn Hospital Center. Term 01-18-2013 to 01-18-2015
I retired on 7-1-2014 no more privileges since 7-1-2014.

I understand that the New York State Board for Professional Medical Conduct ("the Board") has investigated the issues set forth in attached Exhibit "A".

Upon issuance of the Order of Conditions, I shall notify the New York State Education Department, Division of Professional Licensing Services, that my license is currently and permanently inactive, and I shall comply with the Conditions set forth in

Exhibit "B" (Requirements for Closing a Medical Practice). I request that the Board and the Director of the Office of Professional Medical Conduct ("the Director") conclude the investigation of these issues, in reliance upon the results of the investigation to date and upon my representation that I shall remain permanently retired from the active practice of medicine commencing on the Order's effective date, provided I successfully and without incident comply with the Conditions set forth below. In consideration of the Board and the Director granting this Application, and upon the Board's election not to bring disciplinary charges against me, I agree that the Board and the Director shall issue an Order of Conditions Pursuant to N.Y. Pub. Health Law § 230. This Order shall remain in effect, and shall set the following Conditions upon my licensure:

1. Licensee shall remain permanently retired from the practice of medicine. After this Order's effective date, Licensee shall not practice medicine in New York, or in any setting where his practice is based solely on his New York license. Licensee shall not rely upon his New York license to practice medicine to exempt him from the licensure, certification or other requirements set forth in statute or regulation for the practice of any other profession licensed, regulated or certified by the Board of Regents, Department of Education, Department of Health or the Department of State.
2. Licensee's license to practice medicine shall remain permanently on "inactive" status. If Licensee is currently registered to practice medicine in New York State, Licensee shall, within 30 days of the issuance of this Order's effective date, notify the New York State Education Department, Division of Professional Licensing

Services, that Licensee's license status is "inactive," and shall provide proof of such notification to the Director of OPMC immediately upon having done so.

3. Licensee shall provide the Director, Office of Professional Medical Conduct (OPMC), Riverview Center, 150 Broadway, Suite 355, Albany, New York 12204-2719, with the following information, in writing, and ensure that this information is kept current: a full description of Licensee's employment and practice; all professional and residential addresses and telephone numbers within and outside New York State; and all investigations, arrests, charges, convictions or disciplinary actions by any local, state or federal agency, institution or facility. Licensee shall notify OPMC, in writing, within 30 days of any additions to or changes in the required information. This condition shall take effect 30 days after the Order's effective date and shall continue at all times until Licensee receives written notification from the Office of Professional Medical Conduct, Physician Monitoring Program, that OPMC has determined that Licensee has fully complied with and satisfied the requirements of the Order.
4. Licensee shall cooperate fully with the Office of Professional Medical Conduct (OPMC) in its administration and enforcement of this Order and in its investigations of matters concerning Licensee. Licensee shall respond in a timely manner to all OPMC requests for written periodic verification of Licensee's compliance with this Order. Licensee shall meet with a person designated by the Director of OPMC, as directed. Licensee shall respond promptly and provide all documents and information within Licensee's control, as directed. This condition shall take effect

upon the Board's issuance of this Order and will continue so long as Licensee remains licensed in New York State.

5. Licensee shall comply with this Order, and all its terms and Conditions, including those set forth in attached Exhibit "B" ("Requirements for Closing a Medical Practice"), and shall bear all associated compliance costs.
 - a. Upon receiving evidence of noncompliance with or violation of this Order, the Director and/or the Board may initiate a proceeding against Licensee under N.Y. Pub. Health Law §230. Licensee's failure to comply with the Conditions of this Order, if proven and found at a hearing pursuant to N. Y. Pub. Health Law § 230(10), shall constitute misconduct as defined in N.Y. Educ. Law § 6530(29).
 - b. Licensee's failure to comply with, successfully complete, or satisfy any of the material conditions of this Order shall vest the Director with the authority, in the exercise of reasonable discretion, to vacate this agreement and shall permit the Director to pursue further investigation and/or prosecution of misconduct charges against Licensee as to the issues set forth in Exhibit "A" to the full extent authorized by the Public Health Law and the Education Law. This Application shall not be construed as an admission by Licensee of any act of alleged misconduct or as a finding of misconduct as to those issues referred to in Exhibit "A". Licensee shall have the right to assert any defenses he may have, and may deny any acts of misconduct alleged, in any later or other proceeding.

6. An Order issued upon this Application does not bar prosecution for professional misconduct based upon allegations of violations of N.Y. Educ. Law § 6530 unrelated to the issues set forth in Exhibit "A", whether those alleged violations occurred before or after this Application. The Director may, at such time, also direct counsel to prepare charges that include allegations as to the issues set forth in Exhibit "A".
7. If Licensee is charged with professional misconduct in the future, this Application and Order shall be admitted into evidence in that proceeding.

I agree that, if the Board grants this Application, the Chair of the Board shall issue an Order of Conditions in accordance with its terms. I further agree that the Department of Health shall notify the National Practitioner Data Bank and the Federation of State Medical Boards of this Order of Conditions pursuant to N.Y. Pub. Health Law § 230 and that the change in my licensure status is not disciplinary in nature. This Order of Conditions [with the exception of Exhibit "A," which shall remain a part of the investigative files of the Office of Professional Medical Conduct within the meaning of N.Y. Pub. Health Law § 230(10)(a)(v)] shall be posted on the Department of Health website(s).

I agree that the attorney for the Department, the Director of the Office of Professional Medical Conduct, and the Chairperson of the State Board for Professional Medical Conduct each retain full discretion to enter into the Order of

Conditions that I propose in this application, or to decline to do so. I further understand and agree that no prior or separate written or oral communication can limit that discretion.

DATE 4-24-2015



REN BANG JAN, M.D.
LICENSEE

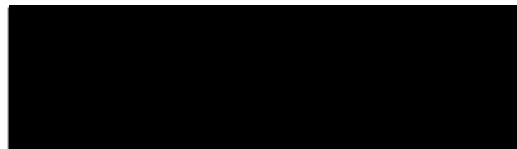
The undersigned agree to Licensee's attached Order of Conditions and to its proposed terms and conditions.

DATE: _____

_____, ESQ.

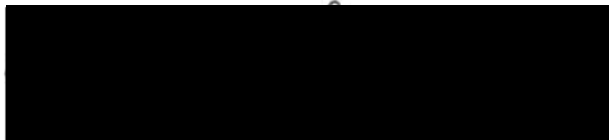
Attorney for Licensee

DATE: April 29, 2015



MARCIA E. KAPLAN
Associate Counsel
Bureau of Professional Medical Conduct

DATE: May 4, 2015



PAULA BREEN
Deputy Director
Office of Professional Medical Conduct

EXHIBIT "B"

Requirements for Closing a Medical Practice

1. Licensee shall immediately cease and desist from engaging in the practice of medicine in New York State, or under Licensee's New York license, in accordance with the terms of the Order. In addition, Licensee shall refrain from providing an opinion as to professional practice or its application and from representing that Licensee is eligible to practice medicine.
2. Within 5 days of the Order's effective date, Licensee shall deliver Licensee's current biennial registration to the Office of Professional Medical Conduct (OPMC) at Riverview Center, 150 Broadway, Suite 355, Albany, New York 12204-2719.
3. Within 15 days of the Order's effective date, Licensee shall notify all patients of the cessation of Licensee's medical practice, and shall refer all patients to another licensed practicing physician for continued care, as appropriate. Licensee shall notify, in writing, each health care plan with which the Licensee contracts or is employed, and each hospital where Licensee has privileges, that Licensee has ceased medical practice. Within 45 days of the Order's effective date, Licensee shall provide OPMC with written documentation that all patients and hospitals have been notified of the cessation of Licensee's medical practice.
4. Licensee shall make arrangements for the transfer and maintenance of all patient medical records. Within 30 days of the Order's effective date, Licensee shall notify OPMC of these arrangements, including the name, address, and telephone number of an appropriate and acceptable contact persons who shall have access to these records. Original records shall be retained for at least 6 years after the last date of service rendered to a patient or, in the case of a minor, for at least 6 years after the last date of service or 3 years after the patient reaches the age of majority,

whichever time period is longer. Records shall be maintained in a safe and secure place that is reasonably accessible to former patients. The arrangements shall include provisions to ensure that the information in the record is kept confidential and is available only to authorized persons. When a patient or a patient's representative requests a copy of the patient's medical record, or requests that the original medical record be sent to another health care provider, a copy of the record shall be promptly provided or forwarded at a reasonable cost to the patient (not to exceed 75 cents per page.) Radiographic, sonographic and similar materials shall be provided at cost. A qualified person shall not be denied access to patient information solely because of an inability to pay.

5. In the event that Licensee holds a Drug Enforcement Administration (DEA) certificate for New York State, Licensee shall, within fifteen (15) days of the Order's effective date, advise the DEA, in writing, of the licensure action and shall surrender his/her DEA controlled substance privileges for New York State to the DEA. Licensee shall promptly surrender any unused DEA #222 U.S. Official Order Forms Schedules 1 and 2 for New York State to the DEA. All submissions to the DEA shall be addressed to Diversion Program Manager, New York Field Division, U.S. Drug Enforcement Administration, 99 Tenth Avenue, New York, NY 10011.
6. Within 15 days of the Order's effective date, Licensee shall return any unused New York State official prescription forms to the Bureau of Narcotic Enforcement of the New York State Department of Health. If no other licensee is providing services at Licensee's practice location, Licensee shall properly dispose of all medications.
7. Within 15 days of the Order's effective date, Licensee shall remove from the public domain any representation that Licensee is eligible to practice medicine, including all related signs, advertisements, professional listings (whether in telephone directories, internet or otherwise), professional stationery or billings. Licensee shall not share, occupy, or use office space in which another licensee provides health care services.

8. Licensee shall not charge, receive or share any fee or distribution of dividends for professional services rendered by Licensee or others while Licensee is barred from engaging in the practice of medicine. Licensee may be compensated for the reasonable value of services lawfully rendered, and disbursements incurred on a patient's behalf, prior to the Order's effective date.
9. If Licensee is a shareholder in any professional service corporation organized to engage in the practice of medicine, Licensee shall divest all financial interest in the professional services corporation, in accordance with New York Business Corporation Law. Such divestiture shall occur within 90 days. If Licensee is the sole shareholder in a professional services corporation, the corporation must be dissolved or sold within 90 days of the Order's effective date.
10. Failure to comply with the above directives may result in a civil penalty or criminal penalties as may be authorized by governing law. Under N.Y. Educ. Law § 6512, it is a Class E Felony, punishable by imprisonment of up to 4 years, to practice the profession of medicine when a professional license has been suspended, revoked or annulled. Such punishment is in addition to the penalties for professional misconduct set forth in N.Y. Pub. Health Law § 230-a, which include fines of up to \$10,000 for each specification of charges of which the Licensee is found guilty, and may include revocation of a suspended license.