



**Department
of Health**

ANDREW M. CUOMO
Governor

HOWARD A. ZUCKER, M.D., J.D.
Commissioner

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

September 19, 2016

CERTIFIED MAIL-RETURN RECEIPT REQUESTED

Maura O'Keefe, R.P.A.



Re: License No. 012727

Dear Ms. O'Keefe:

Enclosed is a copy of the New York State Board for Professional Medical Conduct (BPMC) Order No. 16-313. This order and any penalty provided therein goes into effect September 26, 2016.

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,



Henry Spector, M.D.
Acting Executive Secretary
Board for Professional Medical Conduct

Enclosure

cc: Richard Vroman, Esq.
Koley Jessen, PC., LLO
1125 South 103rd St., Suite 800
Omaha, Nebraska 68124

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

IN THE MATTER
OF
MAURA O'KEEFE, R.P.A.

BPMC No. 16-313
CONSENT
ORDER

Upon the application of (Respondent) MAURA O'KEEFE, R.P.A. in the attached Consent Agreement and Order, which is made a part of this Consent Order, it is

ORDERED, that the Consent Agreement, and its terms, are adopted and

it is further

ORDERED, that this Consent Order shall be effective upon issuance by the Board,

either

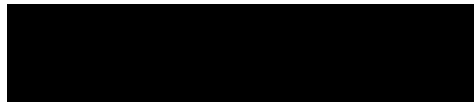
by mailing of a copy of this Consent Order, either by first class mail to Respondent at the address in the attached Consent Agreement or by certified mail to Respondent's attorney, OR

upon facsimile transmission to Respondent or Respondent's attorney,

whichever is first.

SO ORDERED.

DATE: 9/16/2016



Carmela Torrelli
Vice Chair
State Board for Professional Medical Conduct

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

IN THE MATTER
OF
MAURA O'KEEFE, R.P.A.

CONSENT
AGREEMENT

MAURA O'KEEFE, R.P.A. represents that all of the following statements are true:

That on or about August 26, 2008, I was licensed to practice as a physician assistant in the State of New York, and issued Registration No. 012727 by the New York State Education Department.

My current address is [REDACTED], and I will advise the Director of the Office of Professional Medical Conduct of any change of address.

I understand that the New York State Board for Professional Medical Conduct (Board) has charged me with one or more specifications of professional misconduct.

A copy of the Statement of Charges, marked as Exhibit "A", is attached to and part of this Consent Agreement.

I do not contest the Statement of Charges, in full satisfaction of the charges against me, and agree to the following penalty:

Pursuant to N.Y. Pub. Health Law § 230-a(6), Respondent shall be subject to a limitation precluding registration or issuance of any further registration.

I further agree that the Consent Order for which I apply shall impose the following conditions:

That Respondent shall comply with each and every penalty imposed by this Order pursuant to N.Y. Pub. Health Law § 230-a; and

That Respondent shall be precluded from practicing as a physician assistant in New York State, from practicing as a physician assistant in any setting where her practice is based solely on her New York registration, and from further reliance upon Respondent's New York registration to practice as a physician assistant to exempt Respondent from the registration, 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; and

That if Respondent is currently licensed to practice as a physician assistant in New York State, Respondent shall, within 30 days of the issuance of the Consent Order, notify the New York State Education Department, Division of Professional Licensing Services, that Respondent's registration status is "inactive," and shall provide proof of such notification to the Director of OPMC immediately upon having done so; and

That Respondent 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 Respondent'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. Respondent 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 Respondent receives written notification from the Office of Professional Medical Conduct, Physician Monitoring Program, that OPMC has determined that Respondent has fully complied with and satisfied the requirements of the Order, regardless of tolling; and

That Respondent 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 Respondent. Respondent shall respond in a timely manner to all OPMC requests for written periodic verification of Respondent's compliance with this Order. Respondent shall meet with a person designated by the Director of OPMC, as directed. Respondent shall respond promptly and provide all documents and information within Respondent's control, as directed. This condition shall take effect upon the Board's issuance of the Consent Order and will continue so long as Respondent remains licensed in New York State; and

That Respondent shall comply with all conditions set forth in attached Exhibit "B" ("Requirements for Closing a Medical Practice").

I stipulate that my failure to comply with any conditions of this Order shall constitute misconduct as defined in N.Y. Educ. Law § 6530(29).

I agree that if I am charged with professional misconduct in future, this Consent Agreement and Order shall be admitted into evidence in that proceeding.

I ask the Board to adopt this Consent Agreement.

I understand that if the Board does not adopt this Consent Agreement, none of its terms shall bind me or constitute an admission of any of the acts of alleged misconduct; this Consent Agreement shall not be used against me in any way and shall be kept in strict confidence; and the Board's denial shall be without prejudice to the pending disciplinary proceeding and the Board's final determination pursuant to the Public Health Law.

I agree that, if the Board adopts this Consent Agreement, the Chair of the Board shall issue a Consent Order in accordance with its terms. I agree that this Order shall take effect upon its issuance by the Board, either by mailing of a copy of the Consent Order by first class mail to me at the address in this Consent Agreement, or to my attorney by certified mail, OR upon facsimile transmission to me or my attorney, whichever is first. The Order, this agreement, and all attached Exhibits shall be public documents, with only patient identities, if any, redacted. As public documents, they may be posted on the

Department's website. OPMC shall report this action to the National Practitioner Data Bank and the Federation of State Medical Boards, and any other entities that the Director of OPMC shall deem appropriate.

I stipulate that the proposed sanction and Order are authorized by N.Y. Pub. Health Law §§ 230 and 230-a, and that the Board for Professional Medical Conduct and the Office of Professional Medical Conduct have the requisite powers to carry out all included terms. I ask the Board to adopt this Consent Agreement of my own free will and not under duress, compulsion or restraint. In consideration of the value to me of the Board's adoption of this Consent Agreement, allowing me to resolve this matter without the various risks and burdens of a hearing on the merits, I knowingly waive my right to contest the Consent Order for which I apply, whether administratively or judicially, I agree to be bound by the Consent Order, and ask that the Board adopt this Consent Agreement.

I am aware and agree that, regardless of prior communication, 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 reserve full discretion to enter into the Consent Agreement that I propose in this application, or to decline to do so.

DATE 9/6/15



MAURA O'KEEFE, R.P.A.
RESPONDENT


The undersigned agree to Respondent's attached Consent Agreement and to its proposed penalty, terms and conditions.

DATE: 9-9-16



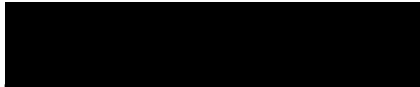
RICHARD D. VROMAN, ESQ.
Attorney for Respondent

DATE: 9/15/16



MARC S. NASH
Associate Counsel
Bureau of Professional Medical Conduct

DATE: 9/16/16



KEITH W. SERVIS
Director
Office of Professional Medical Conduct

EXHIBIT "A"

IN THE MATTER
OF
MAURA O'KEEFE, R.P.A.

STATEMENT
OF
CHARGES

MAURA O'KEEFE, R.P.A., the Respondent, was authorized to practice as a physician assistant in New York State on or about August 26, 2008, by the issuance of registration number 012727 by the New York State Education Department.

FACTUAL ALLEGATIONS

A. On or about December 12, 2014, the State of Nebraska Department of Health and Human Services, Division of Public Health (hereinafter, "Nebraska Board") by an Order on Agreed Settlement, incorporated by reference an Agreed Settlement that placed Respondent's physician assistant's license on probation for five years with monitoring requirements and conditions which included, but not limited to, that Respondent shall abstain from the use of alcohol and controlled substances, other than those prescribed by an authorized licensed practitioner. The Agreed Settlement was based upon Respondent's admission that between August 2011 and February 2013, Respondent issued at least 38 prescriptions for controlled substances, Schedule II, for herself using her husband's prescription pad, and forging her husband's name on the prescriptions.

B. The Conduct resulting in the Nebraska Board's disciplinary action against Respondent would constitute misconduct under the laws of New York State pursuant to the following Sections of New York State Law:

1. New York Education Law § 6530(2) (Practicing the profession fraudulently or beyond its authorized scope);
2. New York Education Law § 6530(3) (Practicing the profession with negligence on a particular occasion); and/or
3. New York Education Law § 6530 (8) (Being a habitual abuser of alcohol, or being dependent on or a habitual user of narcotics, barbiturates, amphetamines, hallucinogens, or other drugs having similar effects).

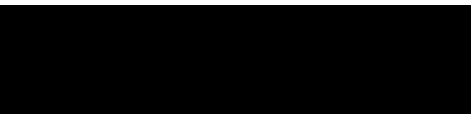
SPECIFICATION OF CHARGES

DISCIPLINARY ACTION IN ANOTHER STATE

Respondent violated New York State Education Law § 6530(9)(d) by having disciplinary action taken after a disciplinary action was instituted by a duly authorized professional disciplinary agency of another state where the conduct resulting in the disciplinary action involving the licensee would, if committed in New York State, constitute professional misconduct under the laws of New York State Law, in that Petitioner charges:

1. The facts in Paragraphs A and B and B1, A and B and B2, and/or A and B and B3.

DATE: July 21, 2016
Albany, New York



MICHAEL A. HISER
Deputy Counsel
Bureau of Professional Medical Conduct

EXHIBIT "B"

**Requirements for Closing a Medical Practice
(Following Agreement to Never License/Never Practice)**

1. Respondent shall immediately cease and desist from engaging in practicing as a physician assistant in New York State, or under Respondent's New York registration, in accordance with the terms of the Order. In addition, Respondent shall refrain from providing an opinion as to professional practice or its application and from representing that Respondent is eligible to practice as a physician assistant in New York or pursuant to a New York registration.
2. Within 5 days of the Order's effective date, Respondent shall deliver Respondent's current biennial registration, if any, 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, Respondent shall, with regard to New York practice or practice anywhere pursuant to Respondent's New York registration, notify all patients of the cessation of Respondent's practice, and shall refer all patients to another licensed practicing physician or licensed physician assistant for continued care, as appropriate. Respondent shall notify, in writing, each health care plan with which the Respondent contracts or is employed, and each hospital where Respondent has privileges, that Respondent has ceased practice as a physician assistant. Within 45 days of the Order's effective date, Respondent shall provide OPMC with written documentation that all patients and hospitals have been notified of the cessation of Respondent's practice as a physician assistant.
4. Respondent shall, with regard to New York practice as a physician assistant or practice anywhere pursuant to Respondent's New York registration, make arrangements for the transfer and maintenance of all patient medical records. Within 30 days of the Order's effective date, Respondent 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 Respondent holds a Drug Enforcement Administration (DEA) certificate for New York State, Respondent 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. Respondent 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, Respondent 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 registrant is providing services at Respondent's practice location, Respondent shall properly dispose of all medications.

7. Within 15 days of the Order's effective date, Respondent shall, with regard to New York practice as a physician assistant or practice anywhere pursuant to Respondent's New York registration, remove from the public domain any representation that Respondent is eligible to practice as a physician assistant, including all related signs, advertisements, professional listings (whether in telephone directories, internet or otherwise), professional stationery or billings. Respondent shall not share, occupy, or use office space in which another registrant provides health care services.
8. Respondent shall not, with regard to New York practice as a physician assistant or practice anywhere pursuant to Respondent's New York registration, charge, receive or share any fee or distribution of dividends for professional services rendered by Respondent or others while Respondent is barred from engaging in the practice of a physician assistant. Respondent 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 Respondent is a shareholder in any professional service corporation organized to engage in the practice of medicine or as a physician assistant in New York, Respondent 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 Respondent 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.