New York State Board for Professional Medical Conduct
433 River Street, Suite 303 • Troy, New York 12180-2299 • (518) 402-0863

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Office of Professional Medical Conduct

Kendrick A. Sears, M.D
Chair
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Vice Chair
Katherine A. Hawkins, M.D., J.D.
Executive Secretary

January 31, 2011

CERTIFIED MAIL-RETURN RECEIPT REQUESTED

Jadwiga H. Pawlowski, M.D.
19 East 80th Street
New York, NY 10021

Re: Nolia Medical, P.C., BPMC No. 11-21
Quality Medical Healthcare Provider, P.C., BPMC No. 11-22
Accurate Medical, P.C., BPMC No. 11-23
J.P. Medical, P.C., BPMC No. 11-24

Dear Dr. Pawlowski:

Enclosed please find Order #'s BPMC 11-21 through BPMC No. 11-24 issued by the New York State Board for Professional Medical Conduct. These orders carry the penalty of annulment of the certificates of incorporation for the professional corporations listed and goes into effect February 7, 2011.

Sincerely,

REDACTED

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

Enclosure

cc: Lourdes Martinez, Esq.
Garfinkel, Travis, Wild, P.C.
111 Great Neck Road
Great Neck, NY 11021

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

IN THE MATTER

OF

JADWIGA PAWLOWSKI,M.D., QUALITY MEDICAL HEALTHCARE PROVIDER PC, J P MEDICAL PC, ACCURATE MEDICAL PC, and NOLIA MEDICAL PC

ANNULMENT ORDER

BPMC No. #11-24

Upon the application of JADWIGA PAWLOWSKI, M.D., the licensed physician identified on the certificate of incorporation as the shareholder, officer and director of Respondent J P MEDICAL PC (professional service corporation #030409 filed on 12/29/95), it is

ORDERED, that the Certificate of Incorporation of Respondent J P MEDICAL PC is hereby annulled and it is further

ORDERED, that this annulment order shall be effective upon issuance by the Board, either

- by mailing of a copy of this annulment order by first class mail to Respondent J P MEDICAL PC at the address registered with the Secretary of State, OR
- by mailing of a copy of this Annulment Order, either by first class mail to Jadwiga Pawlowski, M.D. at the address in the Consent Agreement and Order dated January 17, 2011, executed on behalf of J P Medical PC by Jadwiga Pawlowski, M.D. or by certified mail to the attorney for Jadwiga Pawlowski, M.D., OR
- upon facsimile transmission to the attorney for Jadwiga Pawlowski, M.D.

SO ORDERED.

DATE: 1/28/11

REDACTED

KENDRICK A. SEARS, M.D.
Chair
State Board for Professional Medical Conduct

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

IN THE MATTER

OF

JADWIGA PAWLOWSKI, M.D., QUALITY HEALTHCARE PROVIDER PC, J P MEDICAL PC, ACCURATE MEDICAL PC and NOLIA MEDICAL PC

CONSENT AGREEMENT AND ORDER

JADWIGA PAWLOWSKI, M.D., on behalf of QUALITY HEALTHCARE PROVIDER PC, J P MEDICAL PC, ACCURATE MEDICAL PC and NOLIA MEDICAL PC, represents that all the following statements are true:

That on or about March I, 1974, I was licensed to practice as a physician in the State of New York and issued License No. 119256 by the New York State Education Department. I represented in certificates of incorporation that I am an officer, director and sole shareholder for the above-referenced physician professional service corporations.

Respondent QUALITY HEALTHCARE PROVIDER PC is a professional service corporation that was duly authorized to practice medicine in the State of New York by the filing of its certificate of incorporation (PSC # 056414) with the Department of State on April 28, 2005.

Respondent JP MEDICAL PC is a professional service corporation duly authorized to practice medicine in the State of New York by the filing of its certificate of incorporation (PSC#030409) with the Department of State on December 29, 2005.

Respondent ACCURATE MEDICAL PC is a professional service corporation duly authorized to practice medicine in the State of New York by the filing of its certificate of incorporation (PSC#035376) with the Department of State on October 5, 1998.

Respondent NOLIA MEDICAL PC is a professional service corporation duly authorized to practice medicine in the State of New York by the filing of its certificate of incorporation (PSC#06496) with the Department of State on October 25, 2007.

The Respondents are subject to the jurisdiction of the State Board for Professional Medical Conduct, and the prehearing and hearing procedures of Title II-A of Article 2 of the New York Public Health Law, pursuant to Section 1503(d) of the New York Business Corporation Law.

The Respondents QUALITY HEALTHCARE PROVIDER PC, J P MEDICAL PC, ACCURATE MEDICAL PC and NOLIA MEDICAL PC are respectively applying to the State Board for Professional Medical Conduct for an Order imposing a penalty, pursuant to Section 230-a of the Public Health Law and Section 1503(d) of the Business Corporation Law, of annulment of their certificates of incorporation.

The Respondents QUALITY HEALTHCARE PROVIDER PC, J P MEDICAL PC, ACCURATE MEDICAL PC and NOLIA MEDICAL PC acknowledge that they have been respectively charged with professional misconduct as set forth in the Statement of Charges, annexed hereto, made a part hereof, and marked as Exhibit "A."

Respondent QUALITY HEALTHCARE PROVIDER PC agrees not to contest the allegation and specification set forth in second specification of the Statement of Charges.

Respondent J P MEDICAL agrees not to contest allegation and specification set forth in the third specification of the Statement of Charges.

Respondent ACCURATE MEDICAL PC agrees not to contest the specification and allegation set forth in the fourth specification of the Statement of

Charges.

Respondent NOLIA MEDICAL PC agrees not to contest the allegation and specification set forth in the fifth specification of the Statement of Charges.

Each Respondents agrees that, in the event the State Board for Professional Medical Conduct adopts this Consent Agreement, an Order shall be issued annulling the certificates of incorporation, respectively, of QUALITY HEALTHCARE PROVIDER PC, J P MEDICAL PC, ACCURATE MEDICAL PC and NOLIA MEDICAL PC. The Respondents agree that such annulment shall be effective immediately and shall be self-executing, and this Consent Agreement and Order shall be deemed automatically to be the final and operative document annulling Respondents' certificates of incorporation. The Respondents agree, notwithstanding the above, nothing herein shall be construed to absolve the Respondents in any way from paying to the Departments of State, Education, and Taxation and Finance any outstanding taxes, fines and penalties.

The Respondents acknowledge that, in the event that this Consent Agreement is not adopted by the State Board for Professional Medical Conduct, nothing contained herein shall be binding or construed to be an admission of any act of misconduct alleged or charged against Respondents, such proposed agreement shall not be used against Respondents in any way, and shall be kept in strict confidence during the pendency of *any* 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.

The Respondents agree that, if the Board adopts this Consent Agreement, the Chair of the Board shall issue Orders annulling Respondents' certificates of incorporation in accordance with its terms. The Respondents agree that this Consent 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 the address designated by the Respondents to the New York State Education Department, Office of the Professions, or to JADWIGA PAWLOWSKI, M.D. at 19 East 80th Street, New York, NY 10021, or by certified mail to Respondents attorney Lourdes Martinez Esq., Garfunkel Wild, P.C., or upon facsimile transmission, whichever is first. The Consent 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.

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

bound by the Consent Order, and the Respondents ask that the Board adopt this Consent Agreement.

The Respondents understand and agree that the attorney for the Department, the Director of OPMC and the Chair of the Board each retain complete discretion either to enter into the proposed agreement and Consent Order, based upon the Respondents application, or to decline to do so. The Respondents further understand and agree that no prior or separate written or oral communication can limit that discretion.

Date: 01/17/11, 2011

QUALITY HEALTHCARE PROVIDER PC, J P MEDICAL PC, ACCURATE MEDICAL PC and NOLIA MEDICAL PC

By: REDACTED

JADWIGA PAWLOWSKI, M.D.
Sole Shareholder, Director and Officer, as identified in the Certificates of Incorporation of the Respondents professional service corporations.

Date: _____, 2010

REDACTED

Lourdes Martinez, Esq.
Garfunkel Wild, P.C.
Attorney for Respondents

Date: 1/19/11, 2011

REDACTED

Daniel Guenzburger,
Associate Counsel
Bureau of Professional
Medical Conduct

Date: 1/27, 2011

REDACTED

Keith W. Servis
Director, Office of
Professional Medical Conduct

Exhibit A

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

IN THE MATTER

OF

JADWIGA PAWLOWSKI,M.D., QUALITY MEDICAL HEALTHCARE PROVIDER PC, J P MEDICAL PC, ACCURATE MEDICAL PC, and NOLIA MEDICAL PC

STATEMENT

OF

CHARGES

JADWIGA PAWLOWSKI, M.D., the Respondent, was authorized to practice medicine in New York State on or about March 1, 1974, by the issuance of license number 119256 by the New York State Education Department. Respondents QUALITY MEDICAL HEALTH CARE PROVIDER PC, JP MEDICAL PC, ACCURATE MEDICAL PC, and NOLIA MEDICAL PC were authorized as physician professional service corporations by the New York State Department of State on various dates between December 1995 and October 2007. Respondent PAWLOSKI is a shareholder, officer and director of the Respondent professional service corporations.

FACTUAL ALLEGATIONS

A. Pursuant to Article 15 of the Business Corporation Law, professional service corporations may only render professional services through individuals authorized by law to render such professional services as individuals.

1. Respondent Pawlowski permitted individuals who lacked a medical license to organize, operate and/or control Respondents QUALITY MEDICAL HEALTH CARE PROVIDER PC, JP MEDICAL PC, ACCURATE MEDICAL PC, and NOLIA MEDICAL PC.

B. Respondent QUALITY MEDICAL HEALTH CARE PROVIDER PC failed to comply with Article 15 of the Business Corporation Law in that individuals who lacked a medical license operated and/or controlled the professional service corporation.

C. Respondent JP MEDICAL PC failed to comply with Article 15 of the Business Corporation Law in that individuals who lacked a medical license operated and/or controlled the professional service corporation.

D. Respondent ACCURATE MEDICAL PC failed to comply with Article 15 of the Business Corporation Law in that individuals who lacked a medical license operated and/or controlled the professional service corporation.

E. Respondent NOLIA MEDICAL PC failed to comply with Article 15 of the Business Corporation Law in that individuals who lacked a medical license operated and/or controlled the professional service corporation.

SPECIFICATION OF CHARGES

FIRST SPECIFICATION

PERMITTING, AIDING OR ABETTING THE UNLICENSED PRACTICE OF MEDICINE

Respondent PAWLOSKI is charged with committing professional misconduct as defined in N.Y. Educ. Law § 6530(11) by permitting, aiding, or abetting an unlicensed person to perform activities requiring a license, as alleged in the facts of:

1. A, A1, B, C, D, and/or E.

SECOND THROUGH FIFTH SPECIFICATIONS

FAILING TO COMPLY WITH STATE LAW

Respondents QUALITY MEDICAL HEALTH CARE PROVIDER PC, JP MEDICAL PC, ACCURATE MEDICAL PC, and NOLIA MEDICAL PC are charged with committing professional misconduct as defined in N.Y. Educ. Law § 6530(16) by willfully and/or grossly negligently failing to comply with substantial provisions of State law governing the practice of Medicine, namely Article 15 of the Business Corporation Law, as alleged in the facts, respectively, of:

2. Paragraph B with regard to Respondent QUALITY MEDICAL HEALTH CARE PROVIDER PC.
3. Paragraph C with regard to Respondent J P MEDICAL PC.
4. Paragraph D with regard to Respondent ACCURATE MEDICAL PC.
5. Paragraph E with regard to Respondent NOLIA MEDICAL PC.

DATE: January 20, 2011
New York, New York

REDACTED

Roy Nemerson
Deputy Counsel
Bureau of Professional Medical Conduct