



*New York State Board for Professional Medical Conduct*

433 River Street, Suite 303 Troy, New York 12180-2299 • (518) 402-0863

Barbara A. DeBuono, M.D., M.P.H.  
*Commissioner of Health*

Patrick F. Carone, M.D., M.P.H.  
*Chair*  
Ansel R. Marks, M.D., J.D.  
*Executive Secretary*

July 6, 1998

**CERTIFIED MAIL-RETURN RECEIPT REQUESTED**

Marshall Asonye, M.D.  
123-42 Irwin Place  
St. Albans, New York 11434

RE: License No. 175446

Dear Dr. Asonye:

Enclosed please find Order #BPMC 98-131 of the New York State Board for Professional Medical Conduct. This Order and any penalty provided therein goes into effect **July 13, 1998**.

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  
Hedley Park Place, Suite 303  
433 River Street  
Troy, New York 12180

Sincerely,

Ansel R. Marks, M.D., J.D.  
Executive Secretary  
Board for Professional Medical Conduct

Enclosure

cc: Robert S. Asher, Esq.  
295 Madison Avenue  
New York, New York 10017

William J. Lynch, Esq.

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

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IN THE MATTER : SURRENDER  
OF : ORDER  
MARSHALL ASONYE, M.D. : BPMC # 98-131

-----X

MARSHALL ASONYE, M.D., says:

On or about July 26, 1988, I was licensed to practice medicine as a physician in the State of New York having been issued License No. 175446 by the New York State Education Department. My current address is 123-42 Irwin Place, St. Albans, New York 11434, and I will advise the Director of the Office of Professional Medical Conduct of any change of my address. I am currently registered with the New York State Education Department to practice as a physician in the State of New York.

I understand that I have been charged with one specification 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 an agreement to allow me to surrender my license as a physician in the State of New York and request that the Board issue this Surrender Order.

I hereby agree not to contest the allegations and one specification set forth in the Statement of Charges (Exhibit A).

I understand that, in the event that this proposed agreement 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 proposed agreement 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 agrees with my proposal, this 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 agreement of my own free will and accord and not under duress, compulsion, or restraint of any kind or manner.

  
MARSHALL ASONYE, M.D.  
Respondent

AGREED TO:

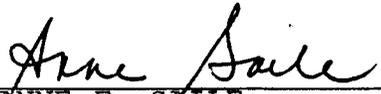
Date: June 22, 1998

  
ROBERT S. ASHER, Esq.  
Attorney for Respondent

Date: June 24, 1998

  
WILLIAM J. LYNCH  
Senior Attorney  
Bureau of Professional  
Medical Conduct

Date: June 26, 1998

  
ANNE F. SAILE  
Director, Office of  
Professional Medical Conduct

ORDER

Upon the proposed agreement of MARSHALL ASONYE, M.D., to Surrender his license as a physician in the State of New York, which proposed agreement is made a part hereof, it is AGREED TO and

ORDERED, that the proposed agreement 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.

DATED: 6/30/98



PATRICK F. CARONE, M.D., M.P.H.  
Chair  
State Board for Professional  
Medical Conduct

EXHIBIT A

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

-----X

IN THE MATTER : STATEMENT  
OF : OF  
MARSHALL ASONYE, M.D. : CHARGES

-----X

MARSHALL ASONYE, M.D., the Respondent, was authorized to practice medicine in New York State on July 26, 1988 by the issuance of license number 175446 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 from December 1, 1997 through November 30, 1999 with a registration address of 123-42 Irwin Place, St. Albans, New York 11434.

**FACTUAL ALLEGATIONS**

1. On or about January 13, 1998, Respondent pleaded guilty to count one of Indictment # 6273-97 and was convicted of grand larceny in the third degree § 155.35 of New York State Penal Law, a class D felony, in the Supreme Court of the State of New York, Bronx County.
2. On or about March 31, 1998, Respondent was sentenced to a probation of five years and was required to make restitution to the Medicaid Fraud Restitution Fund in the amount of \$175,000.00.

FIRST SPECIFICATION

CONVICTION OF ACT CONSTITUTING A CRIME

Respondent is charged with professional misconduct under New York Education Law Section 6530(9)(a)(i) by reason of his having been convicted of committing an act constituting a crime under New York state law, in that Petitioner charges the facts in paragraphs 1 and 2.

DATED: *June 19*, 1998  
Albany, New York

*Peter D. Van Buren*  
PETER D. VAN BUREN  
Deputy Counsel  
Bureau of Professional  
Medical Conduct