



New York State 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 of Health

Charles J. Vacanti, M.D.
Chair

November 19, 1996

CERTIFIED MAIL-RETURN RECEIPT REQUESTED

Christopher Desley, M.D.
112 Bald Eagle Drive
Vacaville, California 95688-1053

RE: License No. 146778

Dear Dr. Desley:

EFFECTIVE DATE NOVEMBER 26, 1996

Enclosed please find Order #BPMC 96-271 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,

Charles Vacanti, M.D.

Chair

Board for Professional Medical Conduct

Enclosure

cc: Kevin P. Byers, Esq.
One Columbus, Suite 260
10 West Broad Street
Columbus, Ohio 43215

Cindy Fascia, Esq.

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

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IN THE MATTER :
OF : ORDER
CHRISTOPHER R. DESLEY, M.D. : BPMC #96-271

-----X

Upon the Application of CHRISTOPHER R. DESLEY, M.D., to Surrender his 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: 15 November 1996

Charles J. Vacanti

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 : APPLICATION TO
OF : SURRENDER
CHRISTOPHER R. DESLEY, M.D. : LICENSE

-----X

STATE OF CALIFORNIA)

SS.:

COUNTY OF SOLANO)

CHRISTOPHER R. DESLEY, M.D., being duly sworn, deposes and
says:

On or about July 3, 1981, I was licensed to practice
medicine as a physician in the State of New York having been
issued License No. 146778 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.

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 permission to surrender my license as a physician in the State of New York on the grounds that I do not contest the New York Board's charges against me, in that the Ohio Medical Board did revoke my license as set forth in the Factual Allegations of Exhibit A. I understand that the New York Board's charges against me are based solely on the Ohio Board's action, and that no additional conduct has been charged or alleged.

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.

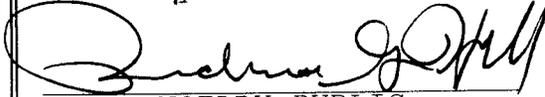
I am making this Application of my own free will and accord and not under duress, compulsion, or restraint of any kind or manner.



CHRISTOPHER R. DESLEY, M.D.
Respondent

Sworn to before me this

28 day of October, 1996



NOTARY PUBLIC

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

No. 5907

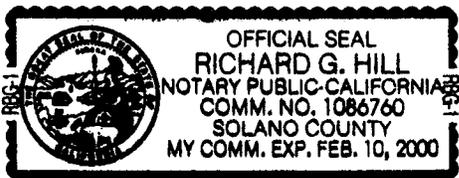
State of CALIFORNIA

County of SOLANO

On October 28, 1996 before me, Richard G. Hill
DATE NAME, TITLE OF OFFICER - E.G., "JANE DOE, NOTARY PUBLIC"

personally appeared Christopher R. Desley M.D.
NAME(S) OF SIGNER(S)

personally known to me - OR - proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) (s) are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.



WITNESS my hand and official seal.
[Signature]
SIGNATURE OF NOTARY

OPTIONAL

Though the data below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent reattachment of this form.

CAPACITY CLAIMED BY SIGNER

- INDIVIDUAL
- CORPORATE OFFICER
- _____ TITLE(S)
- PARTNER(S) LIMITED
- GENERAL
- ATTORNEY-IN-FACT
- TRUSTEE(S)
- GUARDIAN/CONSERVATOR
- OTHER: _____

SIGNER IS REPRESENTING:
NAME OF PERSON(S) OR ENTITY(IES)

DESCRIPTION OF ATTACHED DOCUMENT

APPLICATION TO SURRENDER LICENSES
TITLE OR TYPE OF DOCUMENT

4
NUMBER OF PAGES

October 28, 1996
DATE OF DOCUMENT

SIGNER(S) OTHER THAN NAMED ABOVE

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

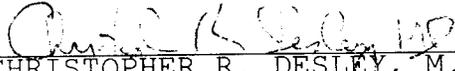
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IN THE MATTER : APPLICATION TO
OF : SURRENDER
CHRISTOPHER R. DESLEY, M.D. : LICENSE

-----X

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

Date: Oct 28, 1996


CHRISTOPHER R. DESLEY, M.D.
Respondent

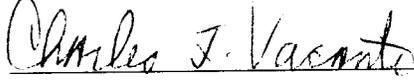
Date: November 7, 1996


CINDY M. FASCIA
Associate Counsel
Bureau of Professional
Medical Conduct

Date: Nov 12, 1996


ANNE F. SAILE
ACTING DIRECTOR
Office of Professional Medical
Conduct

Date: 15 November, 1996


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
CHRISTOPHER R. DESLEY, M.D. : CHARGES

-----X

CHRISTOPHER R. DESLEY, M.D., the Respondent, was authorized to practice medicine in New York State on July 3, 1981 by the issuance of license number 146778 by the New York State Education Department. The Respondent is not currently registered with the New York State Education Department.

FACTUAL ALLEGATIONS

1. The State Medical Board of Ohio, on or about February 27, 1996, issued Findings, Order and Journal Entry in the Matter of Christopher R. Desley, M.D. The Board, pursuant to said Order, revoked Respondent's license to practice medicine in Ohio.
2. The Ohio Board, by letter dated September 6, 1995, had given notice to Respondent that the Board intended to consider disciplinary action regarding his license to practice medicine in Ohio for the reasons set forth in said letter. Respondent was alleged to have engaged in acts, conduct and/or omissions which constituted "fraud, misrepresentation or deception in applying for or securing any license or certificate issued by the Board"; and which constituted

"publishing a false, fraudulent, deceptive or misleading statement" under Ohio Revised Code Sections 4731.22(A) and/or 4731.22(B)(5). Specifically, on or about June 29, 1992, Respondent, in applying for renewal of his Ohio certificate to practice medicine, certified that he had completed during the registration period the requisite hours of Continuing Medical Education (CME) required under the Ohio Revised Code, when in fact Respondent had failed to complete any of the required Category I CME for that period. Respondent was also alleged to have engaged in acts, conduct and/or omissions which constituted a "violation of the conditions of limitation placed by the board upon a certificate to practice" under Ohio Revised Code Section 4731.22(B)(15). Specifically, Respondent had entered into a Consent Agreement with the Board on or about November 9, 1988 in which he admitted to certifying that he had completed the requisite CME for the preceding biennium when, in fact, he had not done so. Under the Consent Agreement, Respondent was required to submit CME documentation acceptable to the Board of satisfactory completion of the requisite hours for the next three biennial registration periods. Although Respondent submitted some documents purporting to show completion of his Category I CME, none of his submitted hours were, in fact, acceptable Category I credits.

3. The Ohio Board's Order stated that Respondent's license was revoked for the reasons outlined in the September 6, 1995

letter of notice, which was attached and incorporated into the Board's Order.

4. Respondent's conduct which resulted in the Ohio Board's revocation of his license would, if committed in New York state, constitute professional misconduct under the laws of New York state, including but not limited to N.Y. Education Law §6530(2) [practicing the profession fraudulently]; N.Y. Education Law §6530(1) [obtaining the license fraudulently]; N.Y. Education Law §6530(21) [willfully making or filing a false report] and/or N.Y. Education Law §6530(29) [violating any term of probation or condition or limitation imposed on the licensee].

SPECIFICATION

Respondent is charged with professional misconduct under N.Y. Education Law §6530(9)(d) (McKinney Supp. 1996) by reason of having his license to practice medicine revoked, suspended or having other disciplinary action taken, where the conduct resulting in the revocation, suspension or other disciplinary action involving the licensee would, if committed in New York state, constitute professional misconduct under the laws of New York state, in that Petitioner charges:

1. The facts in Paragraphs 1 through 4.

DATED: *September 19,* 1996
Albany, New York



PETER D. VAN BUREN
Deputy Counsel
Bureau of Professional
Medical Conduct