



New York State Board for Professional Medical Conduct

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

Antonia C. Novello, M.D., M.P.H., Dr. P.H.
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NYS Department of Health*

Dennis P. Whalen
*Executive Deputy Commissioner
NYS Department of Health*

Dennis J. Graziano, Director
Office of Professional Medical Conduct

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Chair

Denise M. Bolan, R.P.A.
Vice Chair

Ansel R. Marks, M.D., J.D.
Executive Secretary

March 2, 2001

CERTIFIED MAIL-RETURN RECEIPT REQUESTED

Eddie C. Cheung, M.D.
2500 Hospital Drive
Apartment 4B
Mountain View, CA 94039

RE: License No. 134166

Dear Dr. Cheung :

Enclosed please find Order #BPMC 01-60 of the New York State Board for Professional Medical Conduct. This Order and any penalty provided therein goes into effect March 2, 2001.

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 to 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: Ivan Weinberg, Esq.
Weinberg, Hofman, Casey and Ropers
900 Larkspur Landing Circle
Suite 155
Larkspur, CA 94393

Robert Bogan, Esq.

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

IN THE MATTER
OF
EDDIE C. CHEUNG, M.D.
CO-00-06-2607-A

SURRENDER
ORDER
BPMC No. 01-60

EDDIE C. CHEUNG, M.D., says:

On or about April 14, 1978, I was licensed to practice medicine as a physician in the State of New York having been issued License No. 134166 by the New York State Education Department. My address is 2500 Hospital Drive, Apt. 4B, Mountain View, CA 94039.

I understand that the New York State Board for Professional Medical Conduct has charged me with one (1) specification of professional misconduct as set forth in the Statement of Charges, annexed hereto, made a part hereof, and marked as Exhibit "A."

I have not practiced medicine in the state of New York for over 22 years and I do not intend to return to practice in the state of New York. I am, therefore, 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 one (1) specification and Factual Allegations A and B(1), 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 Board grants my Application, as set forth herein, an order of the Chairperson of the Board shall be issued in accordance with same upon issuance by the Board, which may be accomplished by mailing, by first class mail, a copy of the Order to me at the address set forth above, or to my attorney, or upon transmission via facsimile to me or my attorney, whichever is first.

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

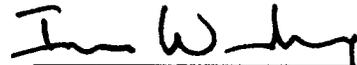
Date: _____, 2001



EDDIE C. CHEUNG, M.D.
Respondent

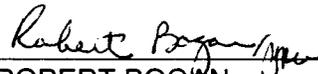
AGREED TO:

Date: 1/26, 2001



IVAN WEINBERG, ESQ.
Attorney for the Respondent

Date: Feb 26, 2001



ROBERT BOGAN
Associate Counsel
Bureau of Professional Medical
Conduct

Date: 2/26, 2001



Dennis J. Graziano
Director
Office of Professional Medical Conduct

"Exhibit A"

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

IN THE MATTER
OF
EDDIE C. CHEUNG, M.D.

STATEMENT
OF
CHARGES

EDDIE C. CHEUNG, M.D., the Respondent, was authorized to practice medicine in New York state on April 14, 1978, by the issuance of license number 134166 by the New York State Education Department.

FACTUAL ALLEGATIONS

A. On or about March 24, 2000, the Division of Medical Quality, Medical Board of California, Department of Consumer Affairs, (hereinafter "California Board"), by a Decision and Order (hereinafter "California Order"), revoked Respondent's Physician and Surgeon Certificate, stayed the revocation, placed the Respondent on three (3) years probation with terms and conditions, and ordered him to pay \$3,000.00 reimbursement, based on false statements in connection with applications for medical staff privileges and appointments.

B. The conduct resulting in the California 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(16) (failure to comply with federal, state, or local laws, rules or regulations governing the practice of medicine);
2. New York Education Law §6530(20) (moral unfitness); and/or

3. New York Education Law §6530 (21) (willfully modifying or filing a false report).

SPECIFICATION

Respondent violated New York Education Law §6530(9)(d) by reason of having had 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, would, if committed in New York state, constitute professional misconduct under the laws of New York state, in that Petitioner charges:

3. The facts in paragraphs A and/or B.

DATED: *December 7*, 2000
Albany, New York


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

ORDER

Upon the proposed agreement of **EDDIE C. CHEUNG, 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 the Respondent be stricken from the roster of physicians in the State of New York; it is further

ORDERED, that this Order shall be effective upon issuance by the Board, which may be accomplished by mailing, by first class mail, a copy to Respondent at the addresses set forth in this agreement, or to Respondent's attorney, or upon transmission via facsimile to Respondent or Respondent's attorney, whichever is earliest.

DATED: 3/1, 2001



WILLIAM P. DILLON, M.D.
Chair
State Board for Professional
Medical Conduct