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

IN THE MATTER OF FIRST MEDICAL SERVICES, P.C.	ORDER BPMC No.#06-283

Upon the proposed Consent Agreement and Order of **FIRST MEDICAL SERVICES, P.C.** which proposed agreement is made a part hereof, it is AGREED TO and

ORDERED, that the Respondent's certificate of incorporation, which was filed by the Department of State on July 18, 2000, is, hereby, revoked such that the revocation shall be effective immediately and shall be self-executing, and this Order shall be deemed automatically to be the final and operative document revoking the Respondent's certificate of incorporation.

ORDERED, that the proposed agreement and the provisions thereof, including the Appendix to this Order, are, hereby, adopted; 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 of the Consent Order to the Respondent at the address set forth in this agreement or to Respondent's attorney by certified mail or upon transmission via facsimile to Respondent in care of Vlad Meisher, M.D., or Respondent's attorney, whichever is earliest.

SO ORDERED.

DATED: 12-11-06

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 FIRST MEDICAL SERVICES, P.C.	CONSENT AGREEMENT AND ORDER

FIRST MEDICAL SERVICES, P.C. says:

The Respondent is a professional service corporation duly authorized to practice medicine in New York State by the filing with the Department of State on July 18, 2000, of a certificate of incorporation, pursuant to Article 15 of the Business Corporation Law.

The Respondent is 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 §1503(d) of the Business Corporation Law.

The Respondent is applying to the State Board for Professional Medical Conduct for a Consent Agreement and Order imposing a penalty, pursuant to §230-a of the Public Health Law and §1503(d) of the Business Corporation Law, of revocation of its certificate of incorporation such that the revocation shall be effective immediately and shall be self-executing, provided, however, that pursuant to Article 10 of the Business Corporation Law, the Respondent will be permitted to wind up all its affairs, including, but not limited to, collection of outstanding accounts receivable, notwithstanding this revocation, and this Consent Agreement and Order shall be deemed automatically to be the final and operative document revoking the Respondent's certificate of incorporation, and the Respondent requests that the Board issue this Consent Agreement and Order.

The Respondent acknowledges that it has been charged with professional misconduct as set forth in the Statement of Charges, annexed, hereto, made a part hereof, and marked as Exhibit "A."

Subject to the terms, conditions and limitations of this Consent Agreement and Order, the Respondent admits the allegations and specifications set forth in the Specification of the Statement of Charges in full satisfaction of all such allegations and specifications.

The Respondent agrees that, in the event the State Board for Professional Medical Conduct agrees with its proposal, this Consent Agreement and Order shall be issued revoking its certificate of incorporation. The Respondent agrees that such revocation shall be effective immediately and shall be self-executing, except for the application of the provisions of Article 10 of the Business Corporation Law, and this Consent Agreement and Order shall be deemed automatically to be the final and operative document revoking the Respondent's certificate of incorporation. The Respondent agrees, notwithstanding the above, nothing herein shall be construed to absolve the Respondent in any way from paying the Departments of State, Education, and Taxation and Finance any outstanding taxes, fines and penalties. This Consent Agreement and Order, and all Exhibits, shall be public documents, with only patient identities, if any, redacted. As public documents, they may be posted on the Department's website.

In addition, the Respondent agrees that this Consent Agreement and Order shall be effective upon issuance by the Board, which may be accomplished by mailing, by first class mail, a copy of this Consent Agreement and Order to it in care of Vlad Meisher, M.D., President, 36-19 Hillside Terrace, Fair Lawn, NJ 07410-4233 or its attorney, Charles D. Abercrombie, Seiff, Kretz & Abercrombie, 444 Madison Avenue, 30th Floor, New York, NY 10022, or upon transmission via facsimile to it or its attorney, whichever is earliest.

The Respondent shall fully cooperate in every respect with the Office of Professional Medical Conduct in its administration and enforcement of this Consent Agreement and Order by written responses, attending meetings or providing documentation concerning verification of its compliance with the terms of this Consent Agreement and Order.

The Respondent stipulates that its failure to comply with any conditions of this Consent Agreement and Order shall constitute misconduct as defined by §6530(29) of the Education Law. The Respondent agrees that in the event it is charged with professional misconduct in the future for violation or non-compliance with any provisions of this Consent Agreement and Order, or in the event that it is charged with professional misconduct in the future or any other type of misconduct, this Consent Agreement and Order shall be admitted into evidence in that proceeding.

The Respondent acknowledges 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 it or construed to be an admission of any act of misconduct alleged or charged against it, such proposed agreement shall not be used against it in any way, and shall be kept in strict confidence during the pendency of the professional misconduct disciplinary proceeding; 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 Respondent stipulates that the proposed sanction and Consent Agreement and Order are authorized by §§230 and 230-a of the Public Health Law, and that the Board and OPMC have the requisite powers to carry out all included terms. The Respondent is making this application of its own free will and accord and not under duress, compulsion or restraint of any kind of manner. In consideration of the value to it of the acceptance by the Board of this application allowing it to resolve this matter without the various risks and burdens of a hearing on the merits, the Respondent knowingly waives any right it may have to contest, whether administratively or judicially, the Consent Agreement and Order issued hereunder for which it hereby applies, the Respondent agrees to be bound by it, and the Respondent asks that the application be granted.

The Respondent is making this application through its President and Shareholder, Vlad Meisher, M.D., and the Respondent and Vlad Meisher, M.D. warrant that he has the necessary corporate authority to enter into this Consent Agreement and Order on behalf of the Respondent and to consent on behalf of the Respondent and the revocation of the Respondent's certificate of incorporation.

The Respondent understands and agrees 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 Consent Agreement and Order, based upon its application, or to decline to do so. The Respondent further understands and agrees that no prior or separate written or oral communication can limit that discretion.

Date: 10-06-06, 2006,

FIRST MEDICAL SERVICES, P.C.

By: V. Meisher MD

VLAD MEISHER, M.D.
President and Shareholder

State of New York

ss:

County of New York

On the 6th day of October 2006, before me, the undersigned, a Notary Public in and for said State, personally appeared, VLAD MEISHER, M.D. personally known to me or proved to me on the basis of satisfactory evidence, to be the individual whose name is subscribed to within the instrument and acknowledged to me that he executed the same in his capacity as the President and Shareholder of the Respondent, the professional service corporation described in and which executed the above instrument; and that he signed his name thereto by order to the Board of Directors of said corporation, and that by his signature on the instrument, the individual or the person upon behalf of which the individual acted, executed the instrument.

Mariana Olenko

Notary Public

MARIANA OLENKO
Notary Public, State of New York
No. 02-OL5072295
Qualified in New York County
Commission Expires January 27, ~~1999~~ 2007

AGREED TO:

Date: 10/6, 2006

CHARLES D. ABERCROMBIE
Attorney for Respondent

Date: October 17, 2006

RICHARD ZAHNLEUTER
Associate Counsel
Bureau of Professional Medical Conduct

Date: 07 December, 2006

DENNIS J. GRAZIANO
Director
Office of Professional Medical Conduct

STATE OF NEW YORK : DEPARTMENT OF HEALTH

STATE BOARD FOR PROFESSIONAL MEDICAL CONDUCT

IN THE MATTER OF FIRST MEDICAL SERVICES, P.C.	STATEMENT OF CHARGES

FIRST MEDICAL SERVICES, P.C., Respondent, is a professional service corporation duly authorized to practice medicine in New York State by the filing with the Department of State on July 18, 2000, of a certificate of incorporation, pursuant to Article 15 of the Business Corporation Law.

Respondent is 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 Public Health Law, pursuant to §1503(d) of the Business Corporation Law.

FACTUAL ALLEGATIONS

A. Pursuant to a plea agreement and guilty plea entered on or about April 18, 2006, in the Supreme Court of the State of New York, Westchester County, New York, Respondent's sole current shareholder duly authorized by law to practice medicine, Vlad Meisher, M.D., agreed to surrender his license as a physician in the State of New York.

B. As a result of the surrender of said license, Vlad Meisher, M.D., is no longer duly authorized by law to practice medicine rendering Respondent in violation of §§1503(a) and (b), and 1504(a), of the Business Corporation Law.

SPECIFICATION

Respondent is charged with professional misconduct by reason of violating the third clause of §6530(12) of the Education Law in that it willfully has failed to be in compliance with §1503 of the Business Corporation Law, in that Petitioner charges:

1. The facts in Paragraphs A and/or B.

DATED: Nov. 6, 2006
Albany, New York

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