



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

May 30, 1997

CERTIFIED MAIL-RETURN RECEIPT REQUESTED

Robert MG Nyein, M.D.
68 Bayard Street
New York, NY 10013

RE: License No. 113954

Dear Dr. Nyein:

Enclosed please find Order #BPMC 97-122 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
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: Anthony M. Venditto, Esq.
Heidell, Pittoni, Murphy & Bach, P.C.
99 Park Avenue
New York, NY 10016

Dianne Abeloff, Esq.

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

IN THE MATTER
OF
ROBERT MG NYEIN, M.D.

CONSENT
ORDER
BPMC #97-122

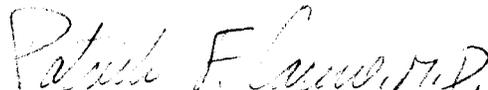
Upon the proposed agreement of ROBERT MG NYEIN, M.D.
(Respondent) for Consent Order, which application is made a part hereof, it is
agreed to and

ORDERED, that the application and the provisions thereof are hereby
adopted and so ORDERED, and 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 by certified mail,
whichever is earliest.

SO ORDERED.

DATED: May 25, 1997


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

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

IN THE MATTER
OF
ROBERT MG NYEIN, M.D.

CONSENT
AGREEMENT
AND
ORDER

STATE OF NEW YORK)
COUNTY OF NEW YORK) ss.:

ROBERT MG NYEIN, M.D., being duly sworn, deposes and says:

That on or about August 28, 1972, I was licensed to practice as a physician in the State of New York, having been issued License No. 113954 by the New York State Education Department.

My current address is 68 Bayard Street, New York, N.Y. 10013, and I will advise the Director of the Office of Professional Medical Conduct of any change of my address.

I understand that the New York State Board for Professional Medical Conduct has charged me with one specification of professional misconduct.

A copy of the Statement of Charges is annexed hereto, made a part hereof, and marked as Exhibit "A".

I admit guilt to the one specification, in full satisfaction of the charges against me. I hereby agree to the following penalty: censure and reprimand.

I agree that in the event I am charged with professional misconduct in the future, this agreement and order shall be admitted into evidence in that proceeding.

I hereby make this Application to the State Board for Professional Medical Conduct (the Board) and request that it be granted.

I understand that, in the event that this Application is not granted by the Board, 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 Board shall be made without prejudice to the continuance of any disciplinary proceeding and the final determination by the Board 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.

I am making this Application of my own free will and accord and not under duress, compulsion or restraint of any kind or manner. In consideration of the value to me of the acceptance by the Board of this Application, allowing me to resolve this matter without the various risks and burdens of a hearing on the merits, I knowingly waive any right I may have to contest the Consent Order for which I hereby apply, whether administratively or judicially, and ask that the Application be granted.


ROBERT MC NYEIN, M.D.
RESPONDENT

Sworn to before me this
12 day of May, 1997

NOTARY PUBLIC

SUE YOUNG TAN
NOTARY PUBLIC, State of New York
No. 01TA5056011
Qualified in New York County
Commission Expires Feb. 26, 1998

The undersigned agree to the attached application of the Respondent and to the proposed penalty based on the terms and conditions thereof.

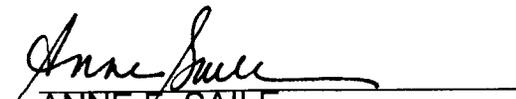
DATE: May 13, 1997


ANTHONY M. VENDITTO, ESQ.
Attorney for Respondent

DATE: May 15, 1997


DIANNE ABELOFF, ESQ.
Associate Counsel
Bureau of Professional
Medical Conduct

DATE: May 20, 1997


ANNE F. SAILE
Director
Office of Professional
Medical Conduct

IN THE MATTER
OF
ROBERT MG NYEIN, M.D.

STATEMENT
OF
CHARGES

ROBERT MG NYEIN, M.D., the Respondent, was authorized to practice medicine in New York State on or about August 28, 1972, by the issuance of license number 113954 by the New York State Education Department.

FACTUAL ALLEGATIONS

- A. On or about February 5, 1996, Respondent pleaded guilty to and was convicted of violating N.Y. Penal Law §200.30, giving an unlawful gratuity, in that he paid a building inspector to write up false violations. Respondent was fined \$1,000.

SPECIFICATION OF CHARGES

SPECIFICATION
CRIMINAL CONVICTION (N.Y.S.)

Respondent is charged with committing professional misconduct as defined in N.Y. Educ. Law §6530(9)(a)(i)(McKinney Supp. 1997) by having been convicted of

committing an act constituting a crime under New York state law as alleged in the facts of the following:

1. Paragraph A.

DATED: March , 1997
New York, New York

ROY NEMERSON
Deputy Counsel
Bureau of Professional
Medical Conduct