



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

February 2, 1998

CERTIFIED MAIL-RETURN RECEIPT REQUESTED

Edward Doucet, M.D.
1854 Union Street
Schenectady, New York 12308

RE: License No. 167481

Dear Dr. Doucet:

Enclosed please find Order #BPMC 98-23 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: Carla Hogan, Esq.
Whiteman, Osterman & Hanna
1 Commerce Plaza
Albany, New York 12210

Robert Bogan, Esq.

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

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IN THE MATTER : SURRENDER
OF : ORDER
EDWARD DOUCET, M.D. : BPMC # 98-23
:
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EDWARD DOUCET, M.D., says:

On or about August 15, 1986, I was licensed to practice medicine as a physician in the State of New York having been issued License No. 167481-1 by the New York State Education Department.

My current address is 1854 Union Street, Schenectady, New York 12308, 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 eighty-five (85) specifications 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 eighty-five (85) specifications 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.


EDWARD DOUCET, M.D.
Respondent

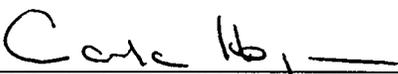
Subscribed before me this
21st day of January, 1998


NOTARY PUBLIC

SUSAN B. DEUEL
Notary Public, State of New York
Qualified in Albany County
No. 4899994
Commission Expires July 6, 1999

AGREED TO:

Date: January 22, 1998


CARLA E. HOGAN, ESQ.
Attorney for Respondent

Date: 22 Jan., 1998


ROBERT BOGAN, ESQ.
Assistant Counsel
Bureau of Professional
Medical Conduct

Date: Jan 26, 1998


ANNE F. SAILE
Director, Office of
Professional Medical Conduct

ORDER

Upon the proposed agreement of EDWARD DOUCET, 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, however, that portion of this Order that provides "ORDERED, that the name of Respondent be stricken from the roster of physicians in the State of New York" shall take effect as of February 28, 1998.

DATED: 1/28/98

Patrick F. Carone, M.D.

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

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

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IN THE MATTER : STATEMENT
OF : OF
EDWARD DOUCET, M.D. : CHARGES

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EDWARD DOUCET, M.D., the Respondent, was authorized to practice medicine in New York State on August 15, 1986, by the issuance of license number 167481-1 by the New York State Education Department.

FACTUAL ALLEGATIONS

A. Respondent treated Patient A (patients are identified in Appendix) from on or about 1993 to on or about 1996 at his home, 1854 Union Street, Schenectady, New York 12309, herein after "his home." Respondent's care and treatment failed to meet acceptable standards of medical care, in that:

1. Respondent did not maintain an adequate medical record and/or an adequate record of medications prescribed for Patient A.
2. Respondent did not perform an adequate initial history, physical exam or laboratory studies of Patient A.
3. Respondent did not perform an adequate history, physical exam or laboratory studies of Patient A for the alleged medical condition for which he prescribed controlled substances.
4. Respondent prescribed Roxycodone, Demerol, and Pamelor, controlled substances, for Patient A without adequate medical indication.

5. Respondent prescribed excessive medication for Patient A, namely Roxycodone, Demerol, and Pamelor.
6. Respondent prescribed potentially habit forming medications for Patient A, despite suspected substance abuse.

B. Respondent treated Patient B from on or about October, 1993 to on or about 1996 at his office, Medical Arts Building, Route 146 and Moe Road, Clifton Park, New York 12065 herein after "his office." Respondent's care and treatment failed to meet acceptable standards of medical care, in that:

1. Respondent did not maintain an adequate medical record for Patient B.
2. Respondent inappropriately prescribed Roxycodone, Demerol, and Pamelor for Patient B.
3. Respondent prescribed excessive medication for Patient B, namely Roxycodone.
4. Respondent prescribed potentially habit forming medications for Patient B, despite suspected substance abuse.
5. Respondent inappropriately cleared Patient B for unrestricted work in her profession as a nurse while she was being prescribed large doses of controlled substances for pain.

C. Respondent treated Patient C from on or about July 1994 to on or about 1996 at his office. Respondent's care and treatment failed to meet acceptable standards of medical care, in that:

1. Respondent did not maintain an adequate medical record for Patient C.
2. Respondent did not perform an adequate initial history, physical exam or laboratory studies of Patient C, for the alleged medical condition for which he prescribed controlled substances.

3. Respondent failed to document clinical indications for the prescription of Roxycodone and/or Demerol.
4. Respondent prescribed excessive medication for Patient C, namely Roxycodone and Demerol.
5. Respondent did not adequately evaluate and treat Patient C for his/her complaints of headaches.
6. Respondent failed to refer Patient C to a pain center, psychologist or psychiatrist for Patient C's pain.

D. Respondent treated Patient D from his office from on or about February 1992 to 1996 at his office. Respondent's care and treatment failed to meet acceptable standards of medical care, in that:

1. Respondent did not maintain an adequate medical record for Patient D.
2. Respondent did not perform an adequate history, physical exam or laboratory studies of Patient D, for the alleged medical condition for which he prescribed controlled substances.
3. Respondent prescribed Roxycodone, a controlled substance, for Patient D without adequate medical indication.
4. Respondent prescribed excessive medication for Patient D, namely Roxycodone.
5. Respondent prescribed potentially habit forming medication for Patient D despite suspected substance abuse.

E. Respondent treated Patient E from on or about March 1995 to 1996 at his office. Respondent's care and treatment failed to meet acceptable standard of medical care, in that:

1. Respondent did not maintain an adequate medical record for Patient E.
2. Respondent did not perform an adequate initial history, physical exam or laboratory studies of Patient E, for the alleged medical condition for which he prescribed controlled substances.

3. Respondent failed to obtain patient medical records of Patient E to document the injuries complained of.
4. Respondent prescribed excessive medication for Patient E, namely Roxycodone.
5. Respondent prescribed potentially habit forming medications for Patient E despite suspected substance abuse.
6. Respondent failed to refer Patient E to an appropriate medical specialist in a timely manner.
7. Respondent failed to refer Patient E to an appropriate pain specialist or management program.

F. Respondent treated Patient F from on or about August 1990 to on or about 1996 at his office. Respondent's care and treatment failed to meet acceptable standards of medical care, in that:

1. Respondent did not maintain an adequate medical record for Patient F for the alleged medical condition for which he prescribed controlled substances.
2. Respondent did not perform an adequate initial history, physical exam or laboratory studies of Patient F, for the alleged medical condition for which he prescribed controlled substances.
3. Respondent prescribed Xanax and Percocet, controlled substances, for Patient F without adequate medical indication.
4. Respondent prescribed excessive medication for Patient F, namely Xanax and Percocet.
5. Respondent prescribed potentially habit forming medications for Patient F despite suspected substance abuse.
6. Respondent failed to refer Patient F to an appropriate pain specialist or management program.

G. Respondent treated Patient G from on or about September 1989 to on or about 1996 at his office. Respondent's care and treatment failed to meet acceptable standards of medical care, in that:

1. Respondent did not maintain an adequate medical record for the alleged medical condition for which he prescribed controlled substances and/or an adequate record of medications prescribed for Patient G.
2. Respondent did not perform an adequate initial history, physical exam or laboratory studies of Patient G, for the alleged medical condition for which he prescribed controlled substances.
3. Respondent prescribed Demerol and Valium, controlled substances, for Patient G without adequate medical indication.
4. Respondent prescribed excessive medication for Patient G, namely Demerol and Valium.
5. Respondent failed to refer Patient G for psychological and/or psychiatric treatment in a timely manner.

H. Respondent treated Patient H from on or about June 1995 to on or about June 1996 at his home. Respondent's care and treatment failed to meet acceptable standards of medical care, in that:

1. Respondent did not maintain an adequate medical record for Patient H.
2. Respondent did not maintain a record of medications prescribed for Patient H.
3. Respondent did not document an initial history, physical exam or laboratory studies of Patient H.
4. Respondent prescribed Roxycodone, a controlled substance, for Patient H without adequate medical indication.

I. Respondent treated Patient I from on or about July 1994 to on or about May 1995 at his office. Respondent's care and treatment failed to meet acceptable standards of medical care, in that:

1. Respondent did not maintain an adequate medical record for the alleged medical condition for which he prescribed controlled substances and/or an adequate record of medications prescribed for Patient I.
2. Respondent did not perform an adequate history, physical exam or laboratory studies of Patient I for the alleged medical condition for which he prescribed controlled substances.
3. Respondent prescribed Roxycodone, a controlled substance, for Patient I without adequate medical indication.
4. Respondent prescribed excessive medication for Patient I, namely Roxycodone.
5. Respondent failed to refer Patient I to an appropriate medical specialist.

J. Respondent treated Patient J from on or about July 1995 to on or about 1996 at his office. Respondent's care and treatment failed to meet acceptable standard of medical care, in that:

1. Respondent did not maintain an adequate medical record for the alleged medical condition for which he prescribed controlled substances and/or maintain an adequate record of medications prescribed for Patient J.
2. Respondent prescribed Roxycodone, a controlled substance, for Patient J without adequate medical indication.
3. Respondent prescribed excessive medication for Patient J, namely Roxycodone.
4. Respondent prescribed potentially habit forming medications for Patient J, despite suspected substance abuse.

- 5. Respondent failed to refer Patient J to an appropriate pain specialist or management program.

K. Respondent treated Patient K from on or about September 15, 1995 to on or about 1996 at his office. Respondent's care and treatment failed to meet acceptable standard of medical care, in that:

- 1. Respondent did not maintain an adequate medical record for the alleged medical condition for which he prescribed controlled substances and/or an adequate record of medications prescribed for Patient K.
- 2. Respondent did not perform an adequate initial history, physical exam or laboratory studies of Patient K, for the alleged medical condition for which he prescribed controlled substances.
- 3. Respondent prescribed Roxycodone, a controlled substance, for Patient K without adequate medical indication.
- 4. Respondent prescribed excessive medication for Patient K, namely Roxycodone.
- 5. Respondent inappropriately wrote a prescription for Roxycodone in Patient K's name which was not intended for nor delivered to Patient K.

L.. Respondent treated Patient L from on or about March 17, 1995 to on or about 1996 at his office. Respondent's care and treatment failed to meet acceptable standard of medical care, in that:

- 1. Respondent did not maintain an adequate medical record for the alleged medical condition for which he prescribed controlled substances and/or did not maintain an adequate record of medications prescribed for Patient L.
- 2. Respondent did not perform an adequate history, physical exam or laboratory studies of Patient L for the alleged medical condition for which he prescribed controlled substances.

3. Respondent prescribed Roxycodone, a controlled substance, for Patient L without adequate medical indication.
4. Respondent prescribed excessive medication for Patient L, namely Roxycodone.
5. Respondent inappropriately wrote a prescription for Roxycodone in Patient L's name which was not intended for, nor delivered to, Patient L.

M. Respondent treated Patient M during September 1994 at his office. Respondent's care and treatment failed to meet acceptable standard of medical care, in that:

1. Respondent did not maintain an adequate medical record and/or did not maintain an adequate record of medications prescribed for Patient M.
2. Respondent did not perform an adequate initial history, physical exam or laboratory studies of Patient M, for the alleged medical condition for which he prescribed controlled substances.
3. Respondent prescribed Demerol, a controlled substance, for Patient M without adequate medical indication.
4. Respondent prescribed excessive medication for Patient M, namely Demerol.
5. Respondent inappropriately wrote a prescription for Demerol in Patient M's name which was not intended for nor delivered to Patient M.

N. Respondent did on or about 1995 wrongfully and/or fraudulently convey to an unauthorized person and/or persons blank official New York State prescriptions for controlled substances that were signed by the Respondent.

SPECIFICATIONS OF MISCONDUCT**FIRST THROUGH FOURTH SPECIFICATIONS****PRACTICING FRAUDULENTLY**

Respondent is charged with practicing fraudulently in violation of N.Y. Educ. Law §6530(2) in that Petitioner charges:

1. The facts in paragraphs K and K.5.
2. The facts in paragraphs L and L.5.
3. The facts in paragraphs M and M.5.
4. The facts in paragraph N.

FIFTH THROUGH EIGHTEENTH SPECIFICATIONS**GROSS NEGLIGENCE**

Respondent is charged with gross negligence in violation of N.Y. Educ. Law §6530(4) in that Petitioner charges:

5. The facts in paragraphs A and A.1 through A.6.
6. The facts in paragraphs B and B.1 through B.5.
7. The facts in paragraphs C and C.1 through C.6.
8. The facts in paragraphs D and D.1 through D.5.
9. The facts in paragraphs E and E.1 through E.7.
10. The facts in paragraphs F and F.1 through F.6.
11. The facts in paragraphs G and G.1 through G.5.
12. The facts in paragraphs H and H.1 through H.4.
13. The facts in paragraphs I and I.1 through I.5.
14. The facts in paragraphs J and J.1 through J.5.
15. The facts in paragraphs K and K.1 through K.5.

16. The facts in paragraphs L and L.1 through L.5.
17. The facts in paragraphs M and M.1 through M.5.
18. The facts in paragraph N.

NINETEENTH THROUGH THIRTY-SECOND SPECIFICATIONS

GROSS INCOMPETENCE

Respondent is charged with gross incompetence in violation of N.Y. Educ. Law §6530(6) in that Petitioner charges:

19. The facts in paragraphs A and A.1 through A.6.
20. The facts in paragraphs B and B.1 through B.5.
21. The facts in paragraphs C and C.1 through C.6.
22. The facts in paragraphs D and D.1 through D.5.
23. The facts in paragraphs E and E.1 through E.7.
24. The facts in paragraphs F and F.1 through F.6.
25. The facts in paragraphs G and G.1 through G.5.
26. The facts in paragraphs H and H.1 through H.4.
27. The facts in paragraphs I and I.1 through I.5.
28. The facts in paragraphs J and J.1 through J.5.
29. The facts in paragraphs K and K.1 through K.5.
30. The facts in paragraphs L and L.1 through L.5.
31. The facts in paragraphs M and M.1 through M.5.
32. The facts in paragraph N.

THIRTY-THIRD THROUGH FORTY-FIFTH SPECIFICATIONS

NEGLIGENCE ON MORE THAN ONE OCCASION

Respondent is charged with negligence on more than one occasion in violation of N.Y. Educ. Law §6530(3) in that Petitioner charges two or more of the following:

33. The facts in paragraphs A and A.1 through A.6.
34. The facts in paragraphs B and B.1 through B.5.
35. The facts in paragraphs C and C.1 through C.6.
36. The facts in paragraphs D and D.1 through D.5.
37. The facts in paragraphs E and E.1 through E.7.
38. The facts in paragraphs F and F.1 through F.6.
39. The facts in paragraphs G and G.1 through G.5.
40. The facts in paragraphs H and H.1 through H.4.
41. The facts in paragraphs I and I.1 through I.5.
42. The facts in paragraphs J and J.1 through J.5.
43. The facts in paragraphs K and K.1 through K.5.
44. The facts in paragraphs L and L.1 through L.5.
45. The facts in paragraphs M and M.1 through M.5.

FORTY-SIXTH THROUGH FIFTY-EIGHTH SPECIFICATIONS

INCOMPETENCE ON MORE THAN ONE OCCASION

Respondent is charged with incompetence on more than one occasion in violation of N.Y. Educ. Law §6530(5) in that Petitioner charges two or more of the following:

46. The facts in paragraphs A and A.1 through A.6.

47. The facts in paragraphs B and B.1 through B.5.
48. The facts in paragraphs C and C.1 through C.6.
49. The facts in paragraphs D and D.1 through D.5.
50. The facts in paragraphs E and E.1 through E.7.
51. The facts in paragraphs F and F.1 through F.6.
52. The facts in paragraphs G and G.1 through G.5.
53. The facts in paragraphs H and H.1 through H.4.
54. The facts in paragraphs I and I.1 through I.5.
55. The facts in paragraphs J and J.1 through J.5.
56. The facts in paragraphs K and K.1 through K.5.
57. The facts in paragraphs L and L.1 through L.5.
58. The facts in paragraphs M and M.1 through M.5.

FIFTY-NINTH THROUGH SEVENTH-FIRST SPECIFICATIONS

RECORD KEEPING

Respondent is charged with failing to maintain a record which accurately reflects the evaluation and treatment of patients in violation of N.Y. Educ. Law §6530(32) in that the Petitioner charges:

59. The facts in paragraphs A and A.1.
60. The facts in paragraphs B and B.1.
61. The facts in paragraphs C and C.1 and/or C.3.
62. The facts in paragraphs D and D.1.
63. The facts in paragraphs E and E.1.
64. The facts in paragraphs F and F.1.
65. The facts in paragraphs G and G.1 and/or G.2.

66. The facts in paragraphs H and H.1 and/or H.2.
67. The facts in paragraphs I and I.1.
68. The facts in paragraphs J and J.1 and/or J.2.
69. The facts in paragraphs K and K.1 and/or K.2.
70. The facts in paragraphs L and L.1 and/or L.2.
71. The facts in paragraphs M and M.1 and/or M.2.

SEVENTY-SECOND THROUGH EIGHTY-FIFTH SPECIFICATIONS

MORAL UNFITNESS

Respondent is charged with moral unfitness in violation of N.Y. Educ. Law §6530(20) in that Petitioner charges:

72. The facts in paragraphs A and A.4, A.5, and/or A.6.
73. The facts in paragraphs B and B.2, B.3, B.4 and/or B.5.
74. The facts in paragraphs C and C.4. and/or C.6.
75. The facts in paragraphs D and D.3, D.4, and/or D.5.
76. The facts in paragraphs E and E.4, E.5 and/or E.7.
77. The facts in paragraphs F and F.3, F.4, F.5 and/or F.6.
78. The facts in paragraphs G and G.3, G.4 and/or G.5.
79. The facts in paragraphs H and H.4 and/or H.5.
80. The facts in paragraphs I and I.3, and/or I.4.

81. The facts in paragraphs J and J.3, J.4, and/or J.5.
82. The facts in paragraphs K and K.3, K.4, and/or K.5.
83. The facts in paragraphs L and L.3, L.4, and/or L.5.
84. The facts in paragraphs M and M.3, M.4, and/or M.5.
85. The facts in paragraph N.

DATED: *December 9*, 1997

Albany, New York


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