



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*

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*Executive Deputy Commissioner
NYS Department of Health*

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Office of Professional Medical Conduct

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Vice Chair

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

April 19, 2002

CERTIFIED MAIL-RETURN RECEIPT REQUESTED

Brian Daniel Morgan, M.D.
3571 Nunda-Byersville Road
Dansville, NY 14437

RE: License No. 150241

Dear Dr. Morgan:

Enclosed please find Order #BPMC 02-118 of the New York State Board for Professional Medical Conduct. This Order and any penalty provided therein goes into effect April 24, 2002.

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

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

IN THE MATTER

SURRENDER

OF

ORDER

**BRIAN DANIEL MORGAN, M.D.
CO-02-03-1586-A**

BPMC No. 02-118

BRIAN DANIEL MORGAN, M.D., says:

On or about June 11, 1982, I was licensed to practice medicine as a physician in the State of New York having been issued License No. 150241 by the New York State Education Department. I currently reside at 3571 Nunda-Byersville Road, Dansville, NY 14437.

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 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 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 agree, hereby, not to contest the one (1) specification set forth in the Statement of Charges (Exhibit A).

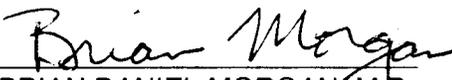
I understand that in the event that this proposed agreement is not granted by the State Board for Professional Medical Conduct, nothing contained herein shall be binding upon me or construed to be an admission of any act of misconduct alleged or charged against me, such proposed agreement shall not be 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.

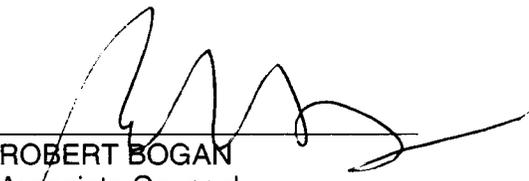
I am making this agreement of my own free will and accord and not under duress, compulsion or restraint of any kind or manner.

Date: April 12, 2002

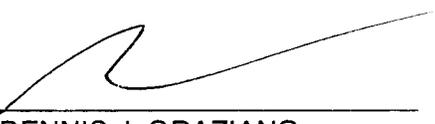

BRIAN DANIEL MORGAN, M.D.
Respondent

AGREED TO:

Date: 16 April, 2002


ROBERT BOGAN
Associate Counsel
Bureau of Professional Medical Conduct

Date: 22 April, 2002


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
BRIAN DANIEL MORGAN, M.D.
CO-02-03-1586-A

STATEMENT
OF
CHARGES

BRIAN DANIEL MORGAN, M.D., the Respondent, was authorized to practice medicine in New York state on June 11, 1982, by the issuance of license number 150241 by the New York State Education Department.

FACTUAL ALLEGATIONS

A. On August 17, 2001, in the United States District Court, Western District of New York, Respondent was convicted of unlawful user of marijuana in possession of ammunition, and omitting material information from required records, and was sentenced to two(2) years probation and to perform 100 hours community service.

SPECIFICATION

Respondent violated New York Education Law §6530(9)(a)(ii) by having been convicted of committing an act constituting a crime under federal law, in that Petitioner charges:

1. The facts in paragraph A.

DATED: *April 15*, 2002
Albany, New York

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

ORDER

Upon the proposed agreement of **BRIAN DANIEL MORGAN, 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: 4 - 23, 2002


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