



New York State Board for Professional Medical Conduct

Corning Tower • Empire State Plaza • Albany, NY 12237 • (518) 474-8357

Barbara A. DeBuono, M.D., M.P.H.
Commissioner of Health

Charles J. Vacanti, M.D.
Chair

February 7, 1996

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

Arturo Buencamino, M.D.
218 Park Avenue
Babylon, NY 11702

Re: NY License No. 156007

Dear Dr. Buencamino:

Effective Date: 02/14/96

Enclosed please find Order #BPMC 96-17 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
Empire State Plaza
Tower Building-Room 438
Albany, New York 12237-0756

Sincerely,

Charles Vacanti, M.D.

Chair

Board for Professional Medical Conduct

Enclosure

cc: Paul S. Brenner, Esq.
401 Broadway
New York, NY 10013

Ann Gayle, Esq.

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

IN THE MATTER
OF
ARTURO BUENCAMINO, M.D.

SURRENDER
ORDER

BPMC #96-17

Upon the Application of Arturo Buencamino, M.D. (Respondent) to Surrender his/her license as a physician in the State of New York, which application is made a part hereof, it is

ORDERED, that the application 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.

SO ORDERED.

DATED: 3 February 1996

Charles J. Vacanti

CHARLES J. VACANTI, M.D.
Chairperson
State Board for Professional
Medical Conduct

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

IN THE MATTER
OF
ARTURO BUENCAMINO, M.D.

APPLICATION TO
SURRENDER
LICENSE

STATE OF NEW YORK)

COUNTY OF *New York*

ss.:

Arturo Buencamino, M.D., being duly sworn, deposes and says:

On or about October 17, 1983, I was licensed to practice medicine as a physician in the State of New York, having been issued License No. 158007, by the New York State Education Department.

My current address is 218 Park Avenue, Babylon, New York, 11702, my current mailing address is P.O. Box 853, Babylon, New York, 11702, and I will advise the Director of the Office of Professional Medical Conduct of any change of my address and/or mailing address.

I understand that I have been charged with six specifications of professional misconduct as set forth in the Statement of Charges, annexed hereto, made a part hereof, and marked as Exhibit "A".

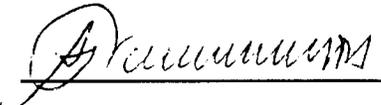
I am applying to the State Board for Professional Medical Conduct for permission to surrender my license as a physician in the State of New York on the grounds that I admit guilt to the six specifications of misconduct against me, in full satisfaction of the Statement of Charges.

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

I understand that, in the event that the application 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 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 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.

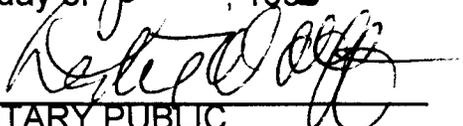
I agree that, in the event the State Board for Professional Medical Conduct grants my application, an order shall be issued striking my name from the roster of physicians in the State of New York without further notice to me.

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


ARTURO BUENCAMINO, M.D.
Respondent

Sworn to before me this

23 day of Jan., 1996


NOTARY PUBLIC

LESLIE WOLFF
Notary Public, State of New York
No. 41-4756066
Qualified in Queens County
Commission Expires 1/31/97

JAN 26 '96 11:07 NYS DOH LEGAL 5 PENN

P.1

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

IN THE MATTER
OF
ARTURO BUENCAMINO, M.D.

APPLICATION TO
SURRENDER
LICENSE

The undersigned agree to the attached application of the Respondent to surrender his license.

Date: Jan. 23, 1996

[Signature]
ARTURO BUENCAMINO, M.D.
Respondent

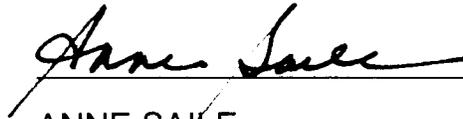
Date: Jan. 26, 1996

[Signature]
PAUL S. BRENNER, Esq.
Attorney for Respondent

Date: Jan. 26, 1996

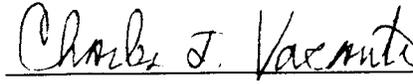
[Signature]
ANN GAYLE, ESQ.
Associate Counsel
Bureau of Professional
Medical Conduct

Date: Jan 31, 1996⁶



ANNE SAILE
Acting Director
Office of Professional Medical Conduct

Date: 3 February, 1996



CHARLES J. VACANTI, M.D.
Chairperson
State Board for Professional Medical Conduct

**IN THE MATTER
OF
ARTURO BUENCAMINO, M.D.**

**STATEMENT
OF
CHARGES**

Arturo Buencamino, M.D., the Respondent, was authorized to practice medicine in New York State on or about October 17, 1983, by the issuance of license number 156007, by the New York State Education Department.

FACTUAL ALLEGATIONS

- A. On or about December 19, 1994, January 18, 1995, February 15, 1995, and March 15, 1995, Respondent issued prescriptions for controlled substances and other drugs to an investigator posing as Patient A at Respondent's office in Brooklyn, New York. (The identity of Patient A is disclosed in the attached appendix.)
1. The controlled substances and other drugs which Respondent issued to this patient were as follows:
 - a. On or about December 19, 1994, Respondent issued Xanax and Tylenol with Codeine #4 to this patient.
 - b. On or about January 18, 1995, Respondent issued Xanax and Percocet to this patient.
 - c. On or about February 15, 1995, Respondent issued Percocet, Tylenol with Codeine #4, and Diazepam to this patient.
 - d. On or about March 15, 1995, Respondent issued Valium to this patient.

5-1-95-317-148

2. On all four occasions, Respondent failed to perform an adequate physical examination.
3. Respondent inappropriately prescribed the controlled substances and other drugs to this patient.
4. The controlled substances and other drugs were prescribed not in the good faith practice of medicine and not for a proper medical purpose.
5. Respondent failed to maintain a record which accurately reflects the care and treatment rendered to this patient.

SPECIFICATION OF CHARGES

FIRST SPECIFICATION

NEGLIGENCE ON MORE THAN ONE OCCASION

Respondent is charged with committing professional misconduct as defined in N.Y. Educ. Law §6530(3)(McKinney Supp. 1995) by practicing the profession of medicine with negligence on more than one occasion as alleged in the facts of two or more of the following:

1. Paragraphs A, A1, A1a-d, A2, 3, 4 and/or 5.

SECOND SPECIFICATION

GROSS NEGLIGENCE

Respondent is charged with committing professional misconduct as defined in N.Y. Educ. Law §6530(4)(McKinney Supp. 1995) by practicing the profession of medicine with gross negligence as alleged in the facts of the following:

2. Paragraphs A, A1, A1a-d, A2, 3, 4 and/or 5.

THIRD SPECIFICATION
INCOMPETENCE ON MORE THAN ONE OCCASION

Respondent is charged with committing professional misconduct as defined in N.Y. Educ. Law §6530(5)(McKinney Supp. 1995) by practicing the profession of medicine with incompetence on more than one occasion as alleged in the facts of two or more of the following:

3. Paragraphs A, A1, A1a-d, A2, 3, 4 and/or 5.

FOURTH SPECIFICATION
GROSS INCOMPETENCE

Respondent is charged with committing professional misconduct as defined in N.Y. Educ. Law §6530(6)(McKinney Supp. 1995) by practicing the profession of medicine with gross incompetence as alleged in the facts of the following:

4. Paragraphs A, A1, A1a-d, A2, 3, 4 and/or 5.

FIFTH SPECIFICATIONS
FRAUDULENT PRACTICE

Respondent is charged with committing professional misconduct as defined by N.Y. Educ. Law §6530(2)(McKinney Supp. 1995) by practicing the profession of medicine fraudulently as alleged in the facts of the following:

5. Paragraphs A, A1 and A1a-d and/or A4.

SIXTH SPECIFICATION
FAILURE TO MAINTAIN ACCURATE RECORDS

Respondent is charged with committing professional misconduct as defined in N.Y. Educ. Law §6530(32)(McKinney Supp. 1995) by failing to maintain a record for each patient which accurately reflects his evaluation and treatment of the patient, as

alleged in the facts of:

6. Paragraphs A and A5.

DATED: December , 1995
New York, New York

ROY NEMERSON
Deputy Counsel
Bureau of Professional
Medical Conduct