



***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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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*

PUBLIC

January 13, 2005

***CERTIFIED MAIL-RETURN RECEIPT REQUESTED***

Jerrold Albom, M.D.  
4500 Pear Ridge Road #4110  
Dallas, TX 75287

Re: License No. 124717

Dear Dr. Albom:

Enclosed please find Order #BPMC 05-08 of the New York State Board for Professional Medical Conduct. This order and any penalty provided therein goes into effect January 20, 2005.

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 the 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: Jack Schultz, Esq.  
333 East Onondaga Street  
Syracuse, NY 13202

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

**IN THE MATTER**  
**OF**  
**JERROLD ALBOM, M.D.**

**SURRENDER**  
**ORDER**  
**BPMC # 05-08**

Jerrold Albom, M.D., says:

On or about August 5, 1975, I was licensed to practice medicine as a physician in the State of New York having been issued License No. 124717 by the New York State Education Department. My address is 4500 Pear Ridge Road, #4110, Dallas, Texas.

I understand that I have been charged with 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 do not contest to the First specification set forth in the Statement of Charges.

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 agree 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 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 earliest.

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

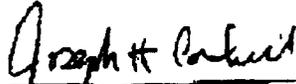
  
Jerold Albom, M.D.  
Respondent

AGREED TO:

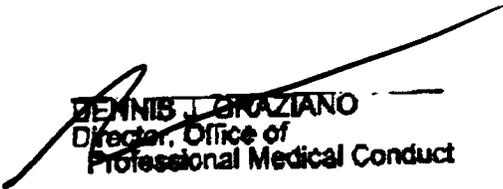
Date: 12/24, 2004

  
John Schultz, Esq.  
Attorney for Respondent

Date: 12/20, 2004

  
Joseph H. Cahill  
Associate Counsel  
Bureau of Professional  
Medical Conduct

Date: 01/07, 2004/5

  
DENNIS J. GRAZIANO  
Director, Office of  
Professional Medical Conduct

ORDER

Upon the proposed agreement of Jerrold Albom, 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 be effective upon issuance by the Board, which may be accomplished by mailing, by first class mail, a copy of this Order to Respondent at the address set forth in this agreement or to Respondent's attorney, or upon transmissions via facsimile to Respondent or Respondent's attorney, whichever is earliest.

DATED: 1/8/05



KENDRICK SEARS, M.D.  
Chair  
State Board for Professional  
Medical Conduct

IN THE MATTER  
OF  
JERROLD R. ALBOM, M.D.

STATEMENT  
OF  
CHARGES

Jerrold R. Albom, M.D., the Respondent, was authorized to practice medicine in New York State on August 5, 1975 by the issuance of license number 124717 by the New York State Education Department. Respondent's registration address is Altus Radiology, #169, 1509 North Main Street, Altus, Oklahoma.

**FACTUAL ALLEGATIONS**

- A. Respondent failed to comply with the June 1, 2004 Order (Attached as Exhibit A) of the New York State Board for Professional Medical Conduct, issued pursuant to New York State Public Health Law § 230(7).

**SPECIFICATION OF CHARGES**

**FIRST SPECIFICATION**

Respondent is charged with the failure to comply with an order issued pursuant to New York State Public Health Law § 230(7) in violation of New York Education Law § 6530(15), in that Petitioner charges the following:

- A. The facts in Paragraph A.

DATED: September 20, 2004  
Albany, New York

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

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

**IN THE MATTER**  
**OF AN**  
**INVESTIGATION PURSUANT TO**  
**PUBLIC HEALTH LAW §230(7)**

**ORDER**

UPON affording JERROLD R. ALBOM, M.D. (the Licensee) an opportunity to be heard before a committee on professional conduct of the Board for Professional Medical Conduct, consisting of William K. Major, Jr., M.D., Chair, and Walter T. Gilsdorf, M.D. and Irving S. Caplan, members, and after reviewing the information presented by the Licensee and the Office of Professional Medical Conduct (OPMC) on May 20, 2004, the Committee has found reason to believe that the Licensee, JERROLD R. ALBOM, may be impaired by a mental disability.

PURSUANT to New York Public Health Law §230(7), the Committee hereby directs the Licensee to submit to an examination by Gene G. Abel, M.D. (hereafter the Examining Physician) at the Behavioral Medicine Institute of Atlanta, Atlanta Georgia, a physician designated by the Committee after requesting and receiving the advice of the Licensee and OPMC. The Examining Physician may require further evaluation(s), examination(s) or testing as deemed appropriate by him, including evaluation(s), examination(s) or testing by such other professionals as he shall designate.

SAID examination must be scheduled by the Licensee with the Examining Physician and shall be commenced no later than June 30, 2004. The examination shall be completed at such time as the Examining Physician determines that it is completed.

PURSUANT to New York Education Law §6530(15), failure to comply with this Order, including cooperation with all aspects of the evaluation directed by the Examining Physician, is professional misconduct.

SO ORDERED.

Date:

June 1, 2004

  
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WILLIAM K. MAJOR, JR., M.D.  
Chair  
Committee on Professional Medical  
Conduct

**PROPOSED APPENDIX TO ALL BPMC ORDERS FOR NULLIFICATION,  
REVOCATION, SURRENDER OR SUSPENSION ( of 6 months or more)  
OF A MEDICAL LICENSE**

1. Respondent shall immediately cease and desist from engaging in the practice of medicine in accordance with the terms of the Order. In addition, Respondent shall refrain from providing an opinion as to professional practice or its application and from representing himself as being eligible to practice medicine.
2. Respondent shall have delivered to OPMC at Hedley Park Place, 433 River Street 4th Floor, Troy, NY 12180-2299 his original license to practice medicine in New York State and current biennial registration within thirty (30) days of the effective date of the Order.
3. Respondent shall within fifteen (15) days of the Order notify his patients of the cessation of his medical practice and will refer all patients to another licensed practicing physician for their continued care, as appropriate.
4. Respondent shall make arrangements for the transfer and maintenance of the medical records of his patients. Within thirty days of the effective date of the Order, Respondent shall notify OPMC of these arrangements including the appropriate and acceptable contact person's name, address, and telephone number who shall have access to these records. Original records shall be retained for at least six years after the last date of service rendered to a patient or, in the case of a minor, for at least six years after the last date of service or three years after the patient reaches the age of majority whichever time period is longer. Records shall be maintained in a safe and secure place which is reasonably accessible to former patients. The arrangements shall include provisions to ensure that the information on the record is kept confidential and made available only to authorized persons. When a patient or and/or his or her representative requests a copy of the patient's medical record or requests that the original medical record be forwarded to another health care provider, a copy of the record shall be promptly provided or forwarded at a reasonable cost to the patient (not to exceed seventy-five cents per page.) Radiographic, sonographic and like materials shall be provided at cost. A qualified person shall not be denied access to patient information solely because of their inability to pay.
5. In the event that Respondent holds a Drug Enforcement Agency (DEA) certificate, Respondent shall within fifteen (15) days advise the DEA in writing of the licensure action and shall surrender his DEA controlled substance privileges to the DEA. Respondent shall promptly surrender any unused DEA #222 U.S. Official Order Forms Schedules 1 and 2 to the DEA.
6. Respondent shall within fifteen (15) days return any unused New York State official prescription forms to the Bureau of Controlled Substances of the New York State Department of Health. Respondent shall cause all prescription pads bearing his name to be destroyed. If no other licensee is providing services at his practice location, all medications shall be properly disposed.
7. Respondent shall not share, occupy or use office space in which another licensee provides health care services. Respondent shall cause all signs to be removed within fifteen (15) days and stop all advertisements, professional listings whether in telephone directories or otherwise, professional stationery or billings by which his eligibility to practice is represented.

8. Respondent shall not charge, receive or share any fee or distribution of dividends for professional services rendered by himself or others while barred from engaging in the practice of medicine. Respondent may be compensated for the reasonable value of services lawfully rendered and disbursements incurred on a patient's behalf prior to the effective date of this Order.

9. If Respondent is a shareholder in any professional service corporation organized to engage in the practice of medicine and if his license is revoked, surrendered or suspended for a term of six months or more under the terms of this Order, Respondent shall divest himself of all financial interest in the professional services corporation in accordance with New York Business Corporation Law. Such divestiture shall occur within 90 days. If Respondent is the sole shareholder in a professional services corporation, the corporation must be dissolved or sold within ninety (90) days of the effective date of this Order.

10. Failure to comply with the above directives may result in a civil penalty or further criminal penalties as may be authorized pursuant to the law. Under Section 6512 of the Education Law it is a Class E Felony, punishable by imprisonment of up to 4 years, to practice the profession of medicine when such professional license has been suspended, revoked or annulled. Such punishment is in addition to the penalties for professional misconduct set forth in section 230 a1. of the Public Health Law, which includes fines of up to \$10,000 for each specification of charges of which the Respondent is found guilty and may include revocation of a suspended license.