



Board for Professional Medical Conduct

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

Mark R. Chassin, M.D., M.P.P., M.P.H.
Commissioner

C. Maynard Guest, M.D.
Executive Secretary

May 14, 1993

CERTIFIED MAIL-RETURN RECEIPT REQUESTED

Dennis Gary Kleinman, M.D.
11 Heritage Court
Demarest, NJ 17627

RE: License No. 135845
Effective Date: 5/20/93

Dear Dr. Kleinman:

Enclosed please find Order #BPMC 93-75 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 12237-0614

Sincerely,

C. Maynard Guest, M.D.
Executive Secretary
Board for Professional Medical Conduct

Enclosure

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

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IN THE MATTER :

OF :

DENNIS GARY KLEINMAN, M.D. :

ORDER
BPMC 93-75

-----X

Upon the Application of Dennis Gary Kleinman, M.D. (Respondent) to Surrender his 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 Respondent shall not apply for the restoration of Respondent's license until at least one year has elapsed from the effective date of this order; 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 via certified mail, whichever is earliest.

SO ORDERED,

DATED:

5/11/93

Charles J. Vacanti, M.D.
CHARLES J. VACANTI, M.D.
Chairperson
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	: APPLICATION TO
OF	: SURRENDER
Dennis Gary Kleinman, M.D.	: LICENSE
-----	:

STATE OF NEW YORK)
) ss.:

Dennis Gary Kleinman, M.D., being duly sworn, deposes and says:

On or about September 15, 1978, I was licensed to practice as a physician in the State of New York having been issued License No. 135845 by the New York State Education Department.

I am registered with the New York State Education Department to practice as a physician in the State of New York for the period beginning on January 1, 1993, and ending on December 31, 1994. My registration address is 11 Heritage Court, Demarest, NJ 07627.

I understand that I have been charged with one Specification of professional misconduct as set forth in the Statement of Charges, annexed hereto, made a part hereof, and

marked as Exhibit "A", based upon certain factual allegation, also set forth in 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 the truth of the factual allegations set forth in Exhibit A, that I stipulate that said factual allegation support the Specification of professional misconduct as set forth in Exhibit A, and that I admit guilt to said Specification.

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

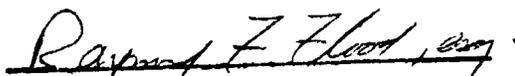
I understand that, in the event that the application is not granted by the State Board for Professional Medical Conduct, nothing contained herein shall be binding upon me or construed to be an admission of any act of misconduct alleged or charged against me, such application shall not be used against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


Dennis Gary Kleinman, M.D.
Respondent

Sworn to before me this
7th day of MAY, 1993


NOTARY PUBLIC

ATTORNEY AT LAW
STATE OF NEW JERSEY

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

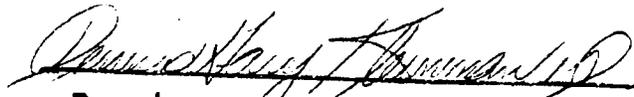
IN THE MATTER
OF

Dennis Gary Kleinman, M.D.

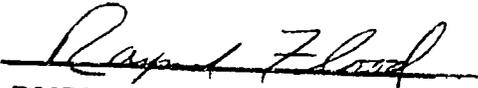
: APPLICATION TO
:
: SURRENDER
:
: LICENSE
:

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

Date: MAY 7, 1993


Dennis Gary Kleinman, M.D.
Respondent

Date: MAY 7, 1993


RAYMOND FLOOD, ESQ.
Attorney for Respondent

Date: May 10, 1993


ROY NEMERSON
Deputy Counsel
Bureau of Professional
Medical Conduct

Dennis Gary Kleinman, M.D.

Date: May 11, 1993

Kathleen M. Tanner / by [Signature]

KATHLEEN M. TANNER
Director, Office of Professional
Medical Conduct

Date: May 11, 1993

Charles J. Vacanti / by [Signature]

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

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

-----X
IN THE MATTER

OF

Dennis Gary Kleinman, M.D.

: STATEMENT

: OF

: CHARGES
-----X

Dennis Gary Kleinman, M.D., the Respondent, was authorized to practice medicine in New York State on September 15, 1978 by the issuance of license number 135845 by the New York State Education Department. The Respondent is currently registered with the New York State Education Department to practice medicine for the period January 1, 1993 through December 31, 1994 from 11 Heritage Court, Demarest, NJ, 07627.

FACTUAL ALLEGATIONS

On or about December 23, 1992, after entering a plea of not guilty, and after trial before a jury in the Superior Court of New Jersey, Bergen County Court House, Hackensack, New Jersey, Respondent was found guilty as charged in Indictment No. S-90-92. Said indictment alleged, inter alia that on or about September 6, 1991, Dennis G. Kleinman did commit sexual assault upon an individual by performing an act of sexual penetration, to wit: vaginal intercourse upon the victim, said victim being one that he knew, or should have known was

physically helpless, mentally defective or mentally incapacitated, contrary to the provisions of NJS 2c:14-2c(2).

SPECIFICATION

Respondent is charged with professional misconduct within the meaning of N.Y. Educ. Law section 6530(9)(a)(iii)(McKinney Supp. 1993) by being convicted of committing an act constituting a crime under the law of another jurisdiction which, if committed within this state, would have constituted a crime under New York State law,

DATED: Albany, New York

Chris Stern Hyman
Counsel, B.P.M.C.
Bureau of Professional Medical
Conduct