



**New York State Board for Professional Medical Conduct**

433 River Street, Suite 303 Troy, New York 12180-2299 • (518) 402-0863

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

**PUBLIC**

December 20, 1999

**CERTIFIED MAIL-RETURN RECEIPT REQUESTED**

George R. Capaldo, M.D.  
6020 East First Avenue  
Denver, CO 80220

RE: License No. 180881

Dear Dr. Capaldo:

Enclosed please find Order #BPMC 99-314 of the New York State Board for Professional Medical Conduct. This Order and any penalty provided therein goes into effect **December 27, 1999.**

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

cc: Robert Bogan, Esq.

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

**IN THE MATTER  
OF  
GEORGE ROCKY CAPALDO, M.D.**

**SURRENDER  
ORDER**

BPMC #99-314

GEORGE ROCKY CAPALDO, M.D., says:

On or about December 4, 1989, I was licensed to practice medicine as a physician in the State of New York having been issued License No. 180881 by the New York State Education Department.

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 hereby agree 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. I agree that such order shall be effective as of the date of the personal service of this order upon me, upon mailing of this order to me at the address set forth in this agreement or to my attorney by certified mail, or upon transmission via facsimile to me or my attorney, whichever is earliest.

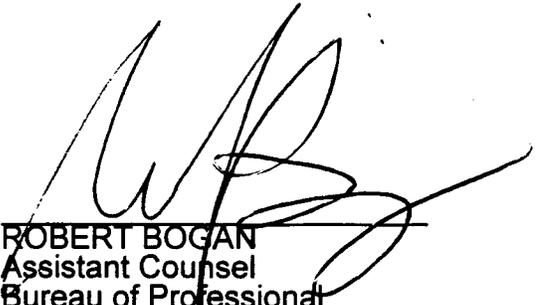
I am making this agreement of my own free will and accord and not under duress, compulsion, or restraint of any kind or manner.

Date: 12/7/99, 1999

  
\_\_\_\_\_  
GEORGE ROCKY CAPALDO, M.D.  
Respondent

AGREED TO:

Date: 10 Dec, 1999

  
ROBERT BOGAN  
Assistant Counsel  
Bureau of Professional  
Medical Conduct

Date: December 13 1999

  
ANNE F. SAILE  
Director, Office of  
Professional Medical Conduct

ORDER

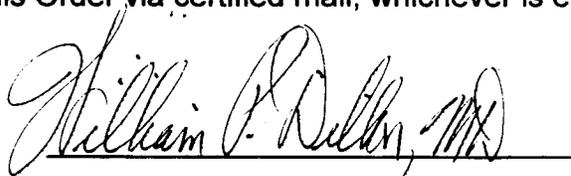
Upon the proposed agreement of GEORGE ROCKY CAPALDO, M.D., to Surrender his license as a physician in the State of New York, which proposed agreement is made a part hereof, it is AGREED TO and

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.

DATED: 12/16/99



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

# EXHIBIT A

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

**IN THE MATTER  
OF  
GEORGE ROCKY CAPALDO, M.D.**

STATEMENT  
OF  
CHARGES

GEORGE ROCKY CAPALDO, M.D., the Respondent, was authorized to practice medicine in New York state on December 4, 1989, by the issuance of license number 180881 by the New York State Education Department.

## FACTUAL ALLEGATIONS

A. On or about November 5, 1999, in the United States District Court, District of Colorado, Respondent was found guilty of knowingly submitting false claims to Medicare in violation of 18 USC 287, and was sentenced to a \$97,000.00 fine and placed on three years probation.

## SPECIFICATION

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

1. The facts in paragraphs A.

DATED: \_\_\_\_\_, 1999  
Albany, New York

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