



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

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

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

Patrick F. Carone, M.D., M.P.H.  
*Chair*  
Ansel R. Marks, M.D., J.D.  
*Executive Secretary*

December 29, 1997

**CERTIFIED MAIL - RETURN RECEIPT REQUESTED**

Ilona Brandeis, M.D.  
251 East 33rd Street  
New York, NY 10016

RE: License No. 130388

Dear Dr. Brandeis:

Enclosed please find Order #BPMC 97-335 of the New York State Board for Professional Medical Conduct.

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  
Hedley Park Place, Suite 303  
433 River Street  
Troy, New York 12180

If the penalty imposed by the Order is a fine, please write the check payable to the New York State Department of Health. Noting the BPMC Order number on your remittance will assist in proper crediting. Payments should be directed to the following address:

Bureau of Accounts Management  
New York State Department of Health  
Corning Tower, Room 1315  
Empire State Plaza  
Albany, New York 12237

Sincerely,



Ansel R. Marks, M.D., J.D.  
Executive Secretary  
Board for Professional Medical Conduct

Enclosure

cc: Jordy Rabinowitz, Esq.  
Garfunkel, Wild, Travis, P.C.  
111 Great Neck Road  
Great Neck, New York 11021

Kalimah J. Jenkins, Esq.

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

-----X

IN THE MATTER	:	CONSENT
OF	:	AGREEMENT
ILONA BRANDEIS, M.D.	:	AND ORDER
	:	BPMC #97-335

-----X

ILONA BRANDEIS, M.D., says:

On or about March 25, 1977, I was licensed to practice as a physician in the State of New York, having been issued license number 130388 by the New York State Education Department.

My current address is 251 East 33rd Street, New York 10016 and I will advise the Director of the Office of Professional Medical Conduct of any change of my address.

I understand that I have been charged with one specification of professional misconduct for failing to provide access by qualified persons to patient information as set forth in the Statement of Charges, annexed hereto, made a part hereof, and marked as Exhibit A.

I agree not to contest the allegations in the one specification.

I hereby agree to the following penalty: A fine of \$3,000.

I agree that in the event that I am charged with professional misconduct in the future, this agreement and order shall be admitted into evidence in that proceeding.

I agree that, as a condition of this Order, I will maintain

current registration of my license with the New York State Education Department, Division of Professional Licensing Services, and pay all registration fees. This condition will remain in effect except during periods of actual suspension, if any, imposed by this Order. This condition shall be in effect beginning thirty days after the effective date of this Order and will continue until the full term of the Order has run, and until any associated period of probation and all probation terms have been completed and satisfied. I understand that any failure by me to comply with this condition shall constitute misconduct as defined by New York State Education Law §6530(29).

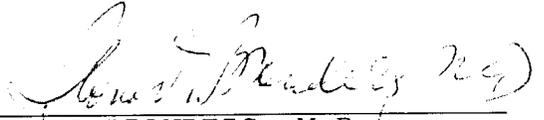
I understand that, in the event that the Board does not grant this application, nothing contained herein shall be binding upon me or construed to be an admission of any act of misconduct alleged or charged against me; such application shall not be used against me in any way and shall be kept in strict confidence during the pendency of the professional misconduct disciplinary proceeding; and such denial by the Board shall be made without prejudice to the continuance of any disciplinary proceeding and the final determination by the Board 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 of the Chairperson of the Board shall be issued in accordance with same.

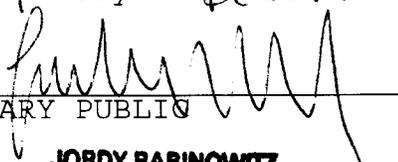
I agree that, in the event the State Board for Professional Medical Conduct grants my application, the fine of \$3,000 imposed upon me by this Consent Order shall be paid in full within (30) days of the effective date of this Order to:

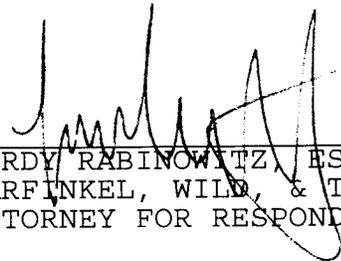
Bureau of Accounts Management  
New York State Department of Health  
Empire State Plaza  
Corning Tower, Room 1245  
Albany, NY 12237

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

  
ILONA BRANDEIS, M.D.  
RESPONDENT

Subscribed before me this  
19 day of December, 1997.

  
NOTARY PUBLIC  
JORDY RABINOWITZ  
Notary Public, State of New York  
No. 01RA5027396  
Qualified in Nassau County  
Commission Expires May 9, 1998

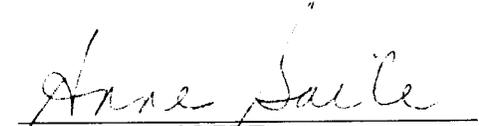
  
JORDY RABINOWITZ, ESQ.  
GARFINKEL, WILD, & TRAVIS  
ATTORNEY FOR RESPONDENT

AGREED TO:

DATE: 12/22/97

  
KALIMAH J. JENKINS  
ASSISTANT COUNSEL  
Bureau of Professional  
Medical Conduct

DATE: 12/24/97

  
ANNE F. SAILE  
DIRECTOR  
Office of Professional  
Medical Conduct

ORDER

Upon the proposed agreement of ILONA BRANDEIS, M.D. (Respondent) for Consent Order, 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; 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 by certified mail, whichever is earliest.

DATED: 12-27-97

---

PATRICK F. CARONE, M.D., M.P.H.  
Chair  
State Board for Professional  
Medical Conduct



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

-----X

IN THE MATTER : STATEMENT  
OF : OF  
ILONA BRANDEIS, M.D. : CHARGES

-----X

Ilona Brandeis, M.D., the Respondent, was authorized to practice medicine in New York State on March 25, 1977 by the issuance of license number 130388 by the New York State Education Department. Respondent is currently registered with the New York State Education Department to practice medicine for the period July 1, 1997, through June 30, 1999, with a registration address of 251 East 33rd Street, New York, NY 10016.

**FACTUAL ALLEGATIONS**

1. Respondent, from approximately March 1997 to September 18, 1997, failed to furnish a copy of Patient A's (identified in the Appendix) medical records to Patient A's attorney, despite Patient A's attorney's requests to do so.

**SPECIFICATION**

Respondent is charged with professional misconduct under N.Y. Education Law § 6530(40) for failing to provide access by qualified persons to patient information in accordance with the standards set forth in Public Health Law §18, in that Petitioner

charges:

1. The facts in Paragraph 1.

DATED: December 10, 1997  
Albany, New York

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