



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

September 3, 1998

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

RECEIVED
Physician Monitoring

SEP 03 1998

Office of Professional
Medical Conduct

Ed Ming Chin, M.D.
13-17 Elizabeth Street
Room 304
New York, New York 10013

RE: License No. 137503

Dear Dr. Chin:

Enclosed please find Order #BPMC 98-207 of the New York State Board for Professional Medical Conduct. This Order and any penalty provided therein goes into effect **September 10, 1998.**

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: Hugh J. Donnelly, Esq.
Lipman, Krasnow & Kelton, LLP
711 Third Avenue
New York, New York 10017

Kevin C. Roe, Esq.

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

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IN THE MATTER : SURRENDER
OF : ORDER
ED MING CHIN, M.D. : BPMC # 98-207

-----X

ED MING CHIN, M.D., says:

On or about March 30, 1979, I was licensed to practice medicine as a physician in the State of New York having been issued License No. 137503 by the New York State Education Department.

I understand that I have been charged with eight 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 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 admit guilt to the factual allegations of Paragraphs A, B, and C and the Seventh Specification of the Statement of Charges (Exhibit A). In addition to this surrender, I agree to pay a fine of ten thousand dollars (\$10,000.00) payable in equal

installments of two thousand five hundred dollars (\$2500.00) on or before September 15, 1998, on or before April 15, 1999, on or before September 15, 1999, and on or before April 15, 2000. Failure to pay any installment on or before the due date shall make the entire remaining fine due and payable immediately.

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.

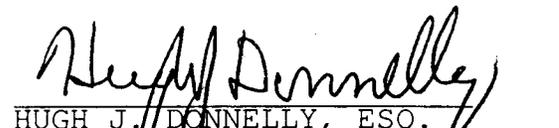
I agree that in the event the State Board for Professional Medical Conduct agrees with my proposal, this Order shall be issued striking my name from the roster of physicians in the State of New York without further notice to me. I agree never to reapply for licensure in New York State.

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


ED MING CHIN, M.D.
Respondent

AGREED TO:

Date: August 24, 1998


HUGH J. DONNELLY, ESQ.
LIPMAN, KRISNOW & KELTON, LLP
Attorney for Respondent

Date: 8/26, 1998


KEVIN C. ROE
Associate Counsel
Bureau of Professional
Medical Conduct

Date: Aug 26, 1998


ANNE F. SAILE
Director, Office of
Professional Medical Conduct

ORDER

Upon the proposed agreement of ED MING CHIN, M.D., to surrender his license as a physician in the State of New York, which 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: 8/31/98

Patrick F. Carone, M.D.

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

EXHIBIT A

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

-----X

IN THE MATTER : STATEMENT
OF : OF
ED MING CHIN, M.D : CHARGES

-----X

ED MING CHIN, M.D., the Respondent, was authorized to practice medicine in New York State on March 30, 1979, by the issuance of license number 137503 by the New York State Education Department.

FACTUAL ALLEGATIONS

A. Respondent treated Patient A (patients are identified in the appendix) from on or about November 2, 1994, to on or about June 30, 1996, at his office, 1317 Elizabeth Street, Suite 304, New York, New York 10013. Respondent's care and treatment of Patient A failed to meet acceptable standards of medical care, in that:

1. Respondent performed EKGs without adequate medical justification.
2. Respondent administered numerous steroid injections without adequate medical justification.
3. Respondent failed to adequately evaluate complaints of chest pain.
4. Respondent failed to adequately evaluate and treat

chronic bronchitis.

5. Respondent failed to adequately evaluate and treat musculoskeletal complaints.
6. Respondent failed to maintain records which accurately reflect the care and treatment of the patient.

B. Respondent treated Patient B from on or about June 3, 1991, to on or about May 4, 1998, at his office. Respondent's care and treatment of Patient B failed to meet acceptable standards of medical care, in that:

1. Respondent failed to adequately evaluate and treat asthma.
2. Respondent administered over 60 steroid injections without adequate medical justification.
3. Respondent administered epinephrine injections without adequate medical justification.
4. Respondent administered antihistamine injections without adequate medical justification.
5. Respondent administered penicillin injections without adequate medical justification.
6. Respondent diagnosed osteoarthritis/rheumatoid arthritis without adequate medical justification.
7. Respondent failed to maintain medical records which accurately reflect the care and treatment of the patient.

C. Respondent treated Patient C from or about December 30, 1991, to on or about March 17, 1998, at his office. Respondent's care and treatment of Patient C failed to meet acceptable

standards of medical care, in that:

1. Respondent administered over 140 steroid injections without adequate medical justification.
2. Respondent failed to adequately evaluate and treat congestive heart failure.
3. Respondent failed to adequately evaluate and treat hypertension.
4. Respondent failed to adequately evaluate and treat musculoskeletal complaints.
5. Respondent failed to maintain medical records which accurately reflect the care and treatment of the patient.

SPECIFICATIONS

FIRST THROUGH THIRD SPECIFICATIONS

GROSS NEGLIGENCE

Respondent is charged with gross negligence on a particular occasion in violation of New York Education Law §6530(4) (McKinney Supp. 1998) in that, Petitioner charges:

1. The facts in paragraph A and A.1, A.2, A.3, A.4, A.5 and/or A.6.
2. The facts in paragraph B and B.1, B.2, B.3, B.4, B.5, B.6, and/or B.7.
3. The facts in paragraph C and C.1, C.2, C.3, C.4 and/or C.5.

FOURTH THROUGH SIXTH SPECIFICATIONS

GROSS INCOMPETENCE

Respondent is charged with gross incompetence on a particular occasion in violation of New York Education Law §6530(6) in that, Petitioner charges:

4. The facts in paragraph A and A.1, A.2, A.3, A.4, A.5 and/or A.6.
5. The facts in paragraph B and B.1, B.2, B.3, B.4, B.5, B.6, and/or B.7.
6. The facts in paragraph C and C.1, C.2, C.3, C.4 and/or C.5.

SEVENTH SPECIFICATION

NEGLIGENCE ON MORE THAN ONE OCCASION

Respondent is charged with negligence on more than one occasion in violation of New York Education Law §6530(3) (McKinney Supp. 1998) in that, Petitioner charges two or more of the following:

7. The facts in paragraphs A and A.1, A.2, A.3, A.4, A.5 A.6; B and B.1, B.2, B.3, B.4, B.5, B.6, B.7; C and C.1, C.2, C.3, C.4 and/or C.5.

EIGHTH SPECIFICATION

INCOMPETENCE ON MORE THAN ONE OCCASION

Respondent is charged with incompetence on more than one

occasion in violation of New York Education Law §6530(5) (McKinney Supp. 1998) in that, Petitioner charges two or more of the following:

8. The facts in paragraphs A and A.1, A.2, A.3, A.4, A.5 A.6; B and B.1, B.2, B.3, B.4, B.5, B.6, B.7; C and C.1, C.2, C.3, C.4 and/or C.5.

NINTH THROUGH NINETEENTH SPECIFICATIONS

FRAUD

Respondent is charged with practicing the profession fraudulently in violation of New York Education Law §6530(2) (McKinney Supp. 1998) in that, Petitioner charges:

9. The facts in paragraph A and A.1.
10. The facts in paragraph A and A.2.
11. The facts in paragraph A and A.6.
12. The facts in paragraph B and B.2.
13. The facts in paragraph B and B.3.
14. The facts in paragraph B and B.4.
15. The facts in paragraph B and B.5
16. The facts in paragraph B and B.6.
17. The facts in paragraph B and B.7.
18. The facts in paragraph C and C.1.
19. The facts in paragraph C and C.5.

DATED: , 1998
Albany, New York

WILLIAM J. COMISKEY
Counsel
Bureau of Professional
Medical Conduct