



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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Vice Chair

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

PUBLIC

December 3, 1999

CERTIFIED MAIL-RETURN RECEIPT REQUESTED

Edward E. Gilmour, M.D.
1040 Don Diego
Santa Fe, NM 87501

RE: License No.: 090115

Dear Dr. Gilmour:

Enclosed please find Order #BPMC 99-297 of the New York State Board for Professional Medical Conduct. This Order and any penalty provided therein goes into effect **December 3, 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: Barbara Hayes Buell, Esq.
Boom & Buell, Esq.
1340 Soldiers Field Rd.
Boston, MA 02135-1020

Robert Bogan, Esq.

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

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IN THE MATTER
OF
EDWARD E. GILMOUR, M.D.

SURRENDER
ORDER
BPMC # 99-297

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EDWARD E. GILMOUR, M.D., says,

On or about, May 22, 1963, I was licensed to practice medicine as a physician in the State of New York having been issued License No. 090115 by the New York State Education Department. My address is ^{1040 Don Diego} ~~1426 St. Francis Drive~~, Santa Fe, New Mexico 87501

I understand that I have been charged with two (2) 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 agree not to contest the two (2) specifications 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.

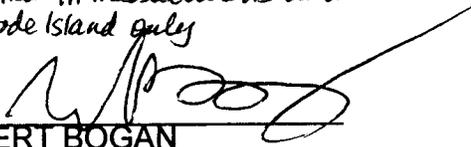

EDWARD E. GILMOUR, M.D.
Respondent

AGREED TO:

Date: 11/23, 1999


BARBARA BUELL, ESQ.
Attorney for the Respondent
*Admitted in Massachusetts and
Rhode Island only*

Date: 29 Nov, 1999


ROBERT BOGAN
Assistant Counsel
Bureau of Professional
Medical Conduct

Date: December 29, 1999


ANNE F. SAILE
Director, Office of
Professional Medical Conduct

ORDER

Upon the proposed agreement of EDWARD E. GILMOUR, 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: 12/1/99


WILLIAM P. DILLON, M.D.
Chair
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	STATEMENT
OF	OF
EDWARD E. GILMOUR, M.D.	CHARGES

-----X

EDWARD E. GILMOUR, M.D., the Respondent, was authorized to practice medicine in New York state on May 22, 1963, by the issuance of license number 090115 by the New York State Education Department.

FACTUAL ALLEGATIONS

A. On or about July 28, 1999, the Commonwealth of Massachusetts, Board of Registration in Medicine, (hereinafter, "Massachusetts Board"), entered a Final Decision and Order, (hereinafter "Massachusetts Order"), that revoked the Respondent's right to renew his license to practice medicine based on his failure as a psychiatrist, to maintain proper professional boundaries with a patient, in that Respondent engaged in a personal, social, and economic relationship with the patient, and disclosed details to same patient about his personal life.

B. The conduct resulting in the Massachusetts Board's disciplinary action against Respondent would constitute misconduct under the laws of New York state, purusant to the following sections of New York state law:

1. New York Education Law Section §6530(2) (practicing the profession beyond its authorized scope);

2. New York Education Law §6530(16) (failure to comply with federal, state, or local laws, rules or regulations governing the practice of medicine); and/or

3. New York Education Law §6530(20)(moral unfitness).

SPECIFICATIONS

FIRST SPECIFICATION

Respondent violated New York Education Law §6530(9)(b) by having been found guilty of improper professional practice or professional misconduct by a duly authorized professional disciplinary agency of another state where the conduct upon which the finding was based would, if committed in New York state, constitute professional misconduct under the laws of New York state, in that Petitioner charges:

1. The facts in paragraphs A and/or B.

SECOND SPECIFICATION

Respondent violated New York State Education Law §6530(9)(d) by having had disciplinary action taken against him by a duly authorized professional disciplinary agency of another state, where the conduct resulting in the disciplinary action would, if committed in New York state, constitute professional misconduct under the laws of New York state, in that Petitioner charges:

2. The facts in paragraphs A and/or B.

DATED: *Nov 16*, 1999
Albany, New York


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