



New York State Board for Professional Medical Conduct

433 River Street, Suite 303 Troy, New York 12180-2299 • (518) 474-8357

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

Charles J. Vacanti, M.D.
Chair

December 23, 1996

CERTIFIED MAIL-RETURN RECEIPT REQUESTED

Saul Blecher, M.D.
8998 Nathaniel's Hollow
Cincinnati, Ohio 45249

RE: License No. 136082

Dear Dr. Blecher:

Enclosed please find Order #BPMC 96-299 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
Hedley Park Place, Suite 303
433 River Street
Troy, New York 12180

Sincerely,

Charles Vacanti, M.D.
Chair
Board for Professional Medical Conduct

Enclosure

cc: John J. Poklemba, Esq.
Bartlett, Pontiff, Stewart & Rhodes, P.C.
90 State Street, Suite 1418
Albany, New York 12207-1715

Kevin P. Donovan, Esq.

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

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IN THE MATTER :
OF : ORDER
SAUL BLECHER, M.D. : BPMC #96-299

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Upon the Application of SAUL BLECHER, M.D. (Respondent) for Consent Order, which Application is made a part hereof, it is ORDERED, that the Application and the provisions thereof are hereby adopted and so ORDERED, 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.

SO ORDERED,

DATED: 17 Feb 1996

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 : APPLICATION
OF : FOR
SAUL BLECHER, M.D. : CONSENT
: ORDER
-----X

STATE OF OHIO)
COUNTY OF HAMILTON) ss.:

SAUL BLECHER, M.D., being duly sworn, deposes and says:
I was licensed to practice as a physician in the State of New York, having been issued License No. 136082 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 Six Specifications of professional misconduct.

A copy of the Statement of Charges is annexed hereto, made a part hereof, and marked as Exhibit "A".

I admit guilt to the Third Specification in full satisfaction of the charges against me.

I hereby agree to the following penalty: a three year suspension of my license to practice medicine in New York State

and a period of probation of two years during which I must fully comply with the Terms of Probation attached hereto as Exhibit B.

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

I agree that in the event that I am charged with professional misconduct in the future, that this Consent Order and the Statement of Charges herein shall be admitted into evidence at the professional misconduct proceeding.

I understand that, in the event that this Application is not granted by the Board, 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 Board grants my Application, as set forth herein, an order of the Chairperson of the Board shall be issued in accordance with same.

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

Saul Blecher MD

SAUL BLECHER, M.D.
RESPONDENT

Sworn to before me this

4 day of December, 1996.

Christina Herschede
NOTARY PUBLIC

CHRISTINA HERSCHEDE
NOTARY PUBLIC-STATE OF OHIO
E
MY COMMISSION EXPIRES
JANUARY 3, 2000

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

-----X
: APPLICATION
IN THE MATTER :
: FOR
OF :
: CONSENT
SAUL BLECHER, M.D. :
: ORDER
-----X

The undersigned agree to the attached application of the Respondent and to the proposed penalty based on the terms and conditions thereof.

DATE: 12/4/96

Saul Blecher MD
SAUL BLECHER, M.D.
Respondent

DATE: 12/10/96

John J. Poklemba
JOHN J. POKLEMBIA
Attorney for Respondent

DATE: 12/11/96

Kevin P. Donovan
KEVIN P. DONOVAN
ASSOCIATE COUNSEL
Bureau of Professional
Medical Conduct

DATE: Dec. 12, 1996

Anne Saile

ANNE F. SAILE
ACTING DIRECTOR
Office of Professional Medical
Conduct

DATE: 19 December 1996

Charles J. Vacanti

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

EXHIBIT A

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

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IN THE MATTER : STATEMENT
OF : OF
SAUL BLECHER, M.D. : CHARGES

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SAUL BLECHER, M.D., the Respondent, was authorized to practice medicine in New York State on October 20, 1978, by the issuance of license number 136082 by the New York State Education Department.

FACTUAL ALLEGATIONS

A. Respondent had privileges at Community General Hospital of Sullivan County, Harris, New York (the Hospital). In or around June 1991, the Hospital obtained information that Respondent had no professional liability insurance and questioned Respondent about it.

1. On or about June 21, 1991, Respondent fraudulently submitted to the Hospital six checks as proof of payment of premiums to Physicians Reciprocal Insurers (PRI), when he knew or should have known that such checks had never been sent to PRI.
2. On or about June 21, 1991, Respondent fraudulently submitted to the Hospital a document bearing date of November 3, 1989, purporting to be proof of professional liability coverage by PRI, and/or proof of a professional liability policy effective January 1, 1986, through at least January 1, 1991, when he knew or should have known that such documents were not valid and/or authentic.
3. In a letter dated November 13, 1991, delivered to the Hospital on or about November 14, 1991, Respondent fraudulently indicated that omissions by his wife, accountant and bank were the cause of his not knowing that he had no malpractice insurance.

4. In his letter to the Hospital dated November 13, 1991, Respondent fraudulently stated "...the bank has since determined that there was fraudulent activity as well as bank error, and credited us with the amount of those two checks" when Respondent knew or should have known that no such determination of fraud or bank error had occurred, and/or that no credit for two checks relating to payments of malpractice premiums had taken place.
5. On or about November 14, 1991, Respondent fraudulently submitted to the Hospital a document dated November 3, 1989, purporting to be proof of professional liability coverage from PRI, and a document showing coverage from PRI for a policy period of 1/1/91, when he knew or should have known that such documents were not valid and/or authentic.
6. On or about November 22, 1991, Respondent fraudulently submitted to the Hospital copies of nine checks as proof of payment of malpractice premiums, when he knew or should have known that three of the checks had been altered as to the date, payee and/or amount, and/or that six of the checks had never been sent to PRI.

B. On or about March 10, 1992, the Hospital placed Respondent on probation for the lapse in professional liability coverage and for presenting false information concerning professional liability coverage; one of the conditions of probation was that Respondent maintain professional liability coverage. On or about May 20, 1992, Respondent's privileges were summarily suspended after the Hospital was notified that an insurance payment was returned for insufficient funds.

1. On or about June 22, 1992, Respondent fraudulently delivered to the Hospital a letter purporting to be from Medical Malpractice Insurance Association (MMIA) stating that Respondent's premium check #1888 was misplaced and not returned for insufficient funds, when Respondent knew or should have known that the letter was a forgery.
2. On or about June 22, 1992, Respondent fraudulently delivered to the Hospital a letter purporting to be from Norstar Bank stating that Respondent's check #1888 was never cashed by MMIA or returned for insufficient funds, when he knew or should have known that the letter was a forgery.

C. On his application dated July 1, 1991, to re-register with the New York State Education Department, Respondent fraudulently answered "no" to the question "Since you last registered, has any hospital or licensed facility restricted or terminated your...privileges...?" when he knew or should have known that his privileges had been suspended by the Hospital on or about June 21, 1991.

SPECIFICATION OF CHARGES

FIRST THROUGH THIRD SPECIFICATIONS

FRAUD

Respondent is charged with practicing the profession fraudulently within the meaning of N.Y. Educ. Law § 6530

(2) (McKinney Supp. 1996), in that Petitioner charges:

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

FOURTH THROUGH SIXTH SPECIFICATIONS

MORAL UNFITNESS

Respondent is charged with conduct in the practice of medicine which evidences moral unfitness to practice medicine within the meaning of N.Y. Educ. Law § 6530(20) (McKinney Supp. 1996), in that Petitioner charges:

4. The facts of paragraphs A and A.1, and A and A.2, A and A.3, A and A.4, A and A.5 and/or A and A.6.
5. The facts of paragraphs B and B.1 and/or B and B.2.

6. The facts of paragraph C.

DATED: *December 11*, 1996

Albany, New York



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

TERMS OF PROBATION

EXHIBIT B

1. Respondent shall maintain current registration of his license during the period of probation. Within 90 days of the date of this Order, Respondent shall provide proof of current registration to the Director of the Office of Professional Medical Conduct (OPMC) at the address set forth below.

2. The following terms of probation are tolled until Respondent returns to New York State to practice medicine, at which time they will be in effect for a period of two years:

a. Saul Blecher, M.D., the Respondent, shall conduct himself in all ways in a manner befitting his professional status, and shall conform fully to the moral and professional standards of conduct and obligations imposed by law and by his profession.

b. Respondent shall submit written notification to the New York State Department of Health addressed to the Director, Office of Professional Medical Conduct (OPMC), Corning Tower Building, 4th Floor, Empire State Plaza, Albany, New York 12237; said notice is to include a full description of any employment and practice, professional and residential addresses and telephone numbers within or without New York State, and any and all investigations, charges, convictions or disciplinary actions by any local, state or federal agency, institution or facility, within thirty days of each action.

c. Respondent shall fully cooperate with and respond in a timely manner to requests from OPMC to provide written periodic verification of Respondent's compliance with the terms of this Order. Respondent shall personally meet with a person designated by the Director of OPMC as requested by the Director.

d. Respondent shall comply with all terms, conditions, restrictions, limitations and penalties to which he or she is subject pursuant to the Order and shall assume and bear all costs related to compliance. Upon receipt of evidence of noncompliance with, or any violation of these terms, the Director of OPMC and/or the Board may initiate a violation of probation proceeding and/or any such other proceeding against Respondent as may be authorized pursuant to the law.