



Board for Professional Medical Conduct

Corning Tower • Empire State Plaza • Albany, NY 12237 • (518) 474-8357

December 10, 1992

C. Maynard Guest, M.D.
Executive Secretary

CERTIFIED MAIL-RETURN RECEIPT REQUESTED

Gloria Alcalen, M.D.
517 New Brunswick Road
Somerset, New Jersey 08873-1660

RE: License No. 165450
Effective Date 12/12/92

Dear Dr. Alcalen:

Enclosed please find Order #BPMC 92-108 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
Empire State Plaza
Tower Building-Room 438
Albany, New York 12237-0614

Sincerely,

C. Maynard Guest, M.D.
Executive Secretary
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 :
OF : ORDER
GLORIA ALCALEN, M.D. : BPMC # 92-108

-----X

Upon the application of GLORIA ALCALEN, 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: 30 November 1992

Charles J. Vacanti
Charles J. Vacanti, M.D.
Chairperson
State Board for Professional
Medical Conduct

I admit guilt to the specification of professional misconduct charged in Exhibit A.

I hereby agree to the penalty that my license be suspended for two years, one month actual suspension and the remaining twenty three months stayed to become a period of probation under the terms and conditions annexed hereto, made a part hereof, and marked 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 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.

Gloria P. Alcaen. M.D.
GLORIA ALCALEN, M.D.
RESPONDENT

Sworn to before me this
2nd day of November, 1992

William L. Wood Jr.
NOTARY PUBLIC

WILLIAM L. WOOD JR.
Notary Public, State of New York
No. 4600168
Qualified in Westchester County
Commission Expires March 30, 1992
2/28

Date: Dec. 9, 1992

Kathleen M. Tanner

KATHLEEN M. TANNER
DIRECTOR
OFFICE OF PROFESSIONAL
MEDICAL CONDUCT

Date: 30 November 1992

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

-----X

IN THE MATTER : STATEMENT
OF : OF
GLORIA ALCALEN, M.D. : CHARGES

-----X

GLORIA ALCALEN, M.D., the Respondent, was authorized to practice medicine in New York State on February 19, 1986 by the issuance of license number 165450 by the New York State Education Department. The Respondent is currently registered with the New York State Education Department to practice medicine for the period January 1, 1991 through December 31, 1992, from 517 New Brunswick Road, Somerset, New Jersey 08873-1660.

FACTUAL ALLEGATIONS

A. On or about January 18, 1991, Respondent was convicted after jury trial in the United States Court for the Eastern District of New York of two counts of receiving remuneration for ordering items that may be paid for by the medicaid program in violation of 42 USC 1320(a)-7b(b)(1)(B). Respondent was placed on two years probation with one month house detention with electronic monitoring.

SPECIFICATION

Respondent is charged with having been convicted of committing an act constituting a crime under federal law in violation of N.Y. Educ. Law §6530(9)(a)(ii) (McKinney Supp. 1992) in that, Petitioner charges:

1. The facts in Paragraph A.

DATED: Albany, New York
September 10, 1992



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

EXHIBIT "B"

TERMS OF PROBATION

1. GLORIA ALCALEN, M.D., during the period of probation, shall conduct herself in all ways in a manner befitting her professional status, and shall conform fully to all federal, state and local laws, rules and regulations regarding the practice of medicine.
2. That Respondent shall submit written notification to the New York State Department of Health (NYSDOH), addressed to the Director, Office of Professional Medical Conduct, New York State Health Department, Corning Tower Building, 4th Floor, Empire State Plaza Albany, New York 12237 of any employment and practice, of Respondent's residence and telephone number, and of any change in Respondent's employment, practice, residence, or telephone number within or without the State of New York.
3. Respondent shall submit written proof from the Division of Professional Licensing Services (DPLS), New York State Education Department (NYSED), that Respondent has paid all registration fees due and owing to the NYSED and Respondent shall cooperate with and submit whatever papers are requested by DPLS in regard to said registration fees, said proof from DPLS to be submitted by Respondent to the New York State Department of Health, addressed to the Director, Office of Professional Medical Conduct, as aforesaid, no later than the first three months of the period of probation.
4. Respondent shall submit written proof to the NYSDOH, addressed to the Director, Office of Professional Medical Conduct, as aforesaid, that 1) Respondent is currently registered with the NYSED, unless Respondent submits written proof that Respondent has advised DPLS, NYSED, that Respondent is not engaging in the practice of Respondent's profession in the State of New York and does not desire to register, and that 2) Respondent has paid any fines which may have previously been imposed upon Respondent by the Board or by the Board of Regents; said proof of the above to be submitted no later than the first two months of the period of probation.
5. So long as there is full compliance with every term herein set forth, Respondent may continue to practice his or her aforementioned profession in accordance with the terms of probation; provided, however, that upon receipt of evidence of noncompliance with, or any violation of these terms, the Director of the Office of Professional Medical Conduct and/or the Board may initiate a violation of probation

proceeding and/or such other proceeding against Respondent
as may be authorized pursuant to the Public Health Law.