

NEW YORK  
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OFFICE OF PROFESSIONAL  
MEDICAL CONDUCT  
THE STATE OF LEARNING

THE STATE EDUCATION DEPARTMENT / THE UNIVERSITY OF THE STATE OF NEW YORK / ALBANY, N.Y. 12234

OFFICE OF PROFESSIONAL DISCIPLINE  
ONE PARK AVENUE, NEW YORK, NEW YORK 10016-5802

Stephen Clifford Acosta, Physician  
629 South Broadway  
Redondo Beach, California 90277

5376 Fairview Boulevard - Apt. 103  
Los Angeles, California 90056

Re: License No. 141389

Dear Dr. Acosta:

Enclosed please find Commissioner's Order No. 11841. This Order goes into effect five (5) days after the date of this letter.

**If the penalty imposed by the Order in your case is a revocation or a surrender of your license, you must deliver your license and registration to this Department within ten (10) days after the date of this letter. Your penalty goes into effect five (5) days after the date of this letter even if you fail to meet the time requirement of delivering your license and registration to this Department.**

**If the penalty imposed by the Order in your case is a revocation or a surrender of your license, you may, pursuant to Rule 24.7 (b) of the Rules of the Board of Regents, a copy of which is attached, apply for restoration of your license after one year has elapsed from the effective date of the Order and the penalty; but said application is not granted automatically.**

Very truly yours,

DANIEL J. KELLEHER  
Director of Investigations

By:



GUSTAVE MARTINE  
Supervisor

DJK/GM/er

**CERTIFIED MAIL - RRR**

cc:

REPORT OF THE  
REGENTS REVIEW COMMITTEE

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STEPHEN CLIFFORD ACOSTA

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CBI FILE NO. 11841



# The University of the State of New York

IN THE MATTER

of the

Disciplinary Proceeding

against

**STEPHEN CLIFFORD ACOSTA**

**No. 11841**

who is currently licensed to practice  
as a physician in the State of New York.

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## REPORT OF THE REGENTS REVIEW COMMITTEE

STEPHEN CLIFFORD ACOSTA, hereinafter referred to as respondent, was given due notice of this proceeding and informed that he could appear and be represented by an attorney.

On March 14, 1991, the scheduled date of our hearing, respondent did not appear before us in person and no attorney appeared before us to represent respondent. Marcia Kaplan, Esq., represented the New York State Department of Health.

Petitioner's written recommendation as to the penalty to be imposed, should respondent be found guilty, was two years suspension, stayed, probation concurrent with the California probationary term.

We have reviewed the record in this matter; and our unanimous findings of fact, determination as to guilt, and recommendation as to the penalty to be imposed are as follows:

FINDINGS OF FACT

1. Respondent was licensed to practice as a physician in this state by the New York State Education Department.
2. Respondent has been found guilty after an administrative hearing in California, of professional misconduct (gross negligence) by a duly authorized professional disciplinary agency of that state, which conduct would, if committed in New York State, constitute professional misconduct under §6509(2) of the Education Law of the State of New York-practicing the profession of medicine with gross negligence on a particular occasion, as set forth in the statement of charges and the record herein.

DETERMINATION AS TO GUILT

The charge, annexed hereto, made a part hereof, and marked as Exhibit "A", has been proven by a preponderance of the evidence and respondent is guilty thereof.

RECOMMENDATION AS TO THE  
PENALTY TO BE IMPOSED

Respondent's license to practice as a physician in the State of New York be suspended for two years upon the charge of which respondent has been found guilty, that execution of said suspension be stayed, and that respondent be placed on probation for six months under the terms set forth in the exhibit attached hereto, made a part hereof and marked as Exhibit "B", under which respondent may apply to terminate said probation as set forth therein.

STEPHEN CLIFFORD ACOSTA (11841)

Respectfully submitted,

SHIRLEY C. BROWN

JOHN T. MCKENNAN

PATRICK J. PICARIELLO

  
Shirley C. Brown  
Chairperson

Dated: 4/26/91

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

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IN THE MATTER : STATEMENT  
OF : OF  
STEPHEN CLIFFORD ACOSTA, M.D. : CHARGES

-----X

STEPHEN CLIFFORD ACOSTA, M.D., the Respondent, was authorized to practice medicine in New York State on March 14, 1980 by the issuance of license number 141389 by the New York State Education Department. The Respondent is not currently registered with the New York State Education Department to practice medicine for the period January 1, 1989 through December 31, 1988. He was last registered for the period January 1, 1986 through December 31, 1988.

**FIRST SPECIFICATION**

1. Respondent is charged with professional misconduct within the meaning of N.Y. Educ. Law Sec. 6509(5)(b) (McKinney 1985) in that he has 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, specifically:

On or about May 8, 1990, the Medical Board of California found the Respondent guilty of professional misconduct upon finding him in violation of Cal. Business and Professions Code Section 2234(b) in that he had committed acts of gross negligence in discharging his duties as a physician. The California Board made the foregoing conclusion based upon its finding, as follows: that on April 11, 1987, Respondent knowingly released patient Felix T. from Panorama Community Hospital in an unstable condition; that Respondent released patient Felix T. without making arrangements for his transfer to another acute care facility; and that Respondent failed to have Felix T. admitted at Panorama Community Hospital because of Respondent's concern that patient Felix T. could not pay for the necessary medical services.

This conduct, if committed within New York State, would constitute professional misconduct under N.Y. Educ. Law Sec. 6509(2), i.e. practicing the profession with gross negligence on a particular occasion.

The California licensing authorities revoked Respondent's license, stayed the execution of the order of revocation, and placed Respondent on probation for one year.

DATED: NEW YORK, NEW YORK  
January 31, 1991



CHRIS STERN HYMAN  
Counsel  
Bureau of Professional  
Medical Conduct

EXHIBIT "B"

TERMS OF PROBATION  
OF THE REGENTS REVIEW COMMITTEE

STEPHEN CLIFFORD ACOSTA

CALENDAR NO. 11841

1. That respondent shall make quarterly visits to an employee of and selected by the Office of Professional Medical Conduct of the New York State Department of Health, unless said employee agrees otherwise as to said visits, for the purpose of determining whether respondent is in compliance with the following:
  - a. That respondent, during the period of probation, shall be in compliance with the standards of conduct prescribed by the law governing respondent's profession;
  - b. That respondent shall submit written notification to the New York State Department of Health, addressed to the Director, Office of Professional Medical Conduct, Empire State Plaza, Albany, NY 12234 of any employment and/or practice, respondent's residence, telephone number, or mailing address, and of any change in respondent's employment, practice, residence, telephone number, or mailing address within or without the State of New York;
  - c. That 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; and
  - d. That respondent shall submit written proof to the New York State Department of Health, addressed to the Director, Office of Professional Medical Conduct, as aforesaid, that 1) respondent is currently registered with

STEPHEN CLIFFORD ACOSTA (11841)

the NYSED, unless respondent submits written proof to the New York State Department of Health, 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 of Regents; said proof of the above to be submitted no later than the first two months of the period of probation;

- e. That respondent shall, during the period of probation, submit written proof to the Director, Office of Professional Medical Conduct, as aforesaid, demonstrating to the satisfaction of said Director that respondent has complied with the probation terms imposed by the Decision of the Medical Board of California, dated May 8, 1990.
2. That, upon compliance with term numbered 1(e) above, respondent may apply to the Director of the Office of Professional Medical Conduct for discharge from probation;
3. If the Director of the Office of Professional Medical Conduct determines that respondent may have violated probation, the Department of Health may initiate a violation of probation proceeding and/or such other proceedings pursuant to the Public Health Law, Education Law, and/or Rules of the Board of Regents.

**ORDER OF THE COMMISSIONER OF  
EDUCATION OF THE STATE OF NEW YORK**

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**STEPHEN CLIFFORD ACOSTA**

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**CALENDAR NO. 11841**



# The University of the State of New York

IN THE MATTER

OF

**STEPHEN CLIFFORD ACOSTA**  
(Physician)

**DUPLICATE  
ORIGINAL  
VOTE AND ORDER  
NO. 11841**

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Upon the report of the Regents Review Committee, a copy of which is made a part hereof, the record herein, under Calendar No. 11841, and in accordance with the provisions of Title VIII of the Education Law, it was

**VOTED (May 24, 1991):** That the record herein be accepted; that the findings of fact, determination as to guilt, and recommendation as to the penalty to be imposed rendered by the Regents Review Committee in the matter of STEPHEN CLIFFORD ACOSTA, respondent, be accepted; that respondent is guilty of the charge by a preponderance of the evidence; that respondent's license and registration to practice as a physician in the State of New York be suspended for two years upon the charge of which respondent has been found guilty; that execution of said suspension be stayed; that respondent be placed on probation for six months under the terms prescribed by the Regents Review Committee, under which respondent may apply to terminate said probation as set forth therein; and that the Commissioner of Education be empowered to execute, for and on behalf of the Board of Regents, all orders necessary to carry out the terms of this vote;

**and it is**

**ORDERED:** That, pursuant to the above vote of the Board of

STEPHEN CLIFFORD ACOSTA (11841)

Regents, said vote 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 the respondent or five days after mailing by certified mail.

IN WITNESS WHEREOF, I, Thomas Sobol, Commissioner of Education of the State of New York, for and on behalf of the State Education Department and the Board of Regents, do hereunto set my hand and affix the seal of the State Education Department, at the City of Albany, this <sup>31<sup>st</sup></sup> day of *May*, 1991.

*Thomas Sobol*  
Commissioner of Education