



***New York State Board for Professional Medical Conduct***

*433 River Street, Suite 303 • Troy, New York 12180-2299 • (518) 402-0863*

Antonia C. Novello, M.D., M.P.H., Dr. P.H.  
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NYS Department of Health*

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NYS Department of Health*

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*Office of Professional Medical Conduct*

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*Vice Chair*

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

May 31, 2001

***CERTIFIED MAIL-RETURN RECEIPT REQUESTED***

Eugene I. Sacks, M.D.  
1584 Ragsdale Road  
Brentwood, TN 37027

RE: License No. 110497

Dear Dr. Sacks:

Enclosed please find Order #BPMC 01-132 of the New York State Board for Professional Medical Conduct. This Order and any penalty provided therein goes into effect May 31, 2001.

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: Robert Bogan, Esq.

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

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**IN THE MATTER**  
**OF**  
**EUGENE I. SACKS, M.D.**  
**CO-01-03-1255-A**

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**SURRENDER**  
**ORDER**  
BPMC No. 01-132

**EUGENE I. SACKS, M.D.**, says:

On or about October 19, 1971, I was licensed to practice medicine as a physician in the State of New York having been issued License No. 110497 by the New York State Education Department. I currently reside at 1584 Ragsdale Road, Brentwood, TN 37027.

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 one (1) specification 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 have not practiced medicine in New York state since 1972 and do not intend to return to practice medicine in New York state. I, therefore, hereby, agree not to contest the one (1) specification set forth in the Statement of Charges (Exhibit A).

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 Board grants my Application, as set forth herein, an order of the Chairperson of the Board shall be issued in accordance with same 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 first.

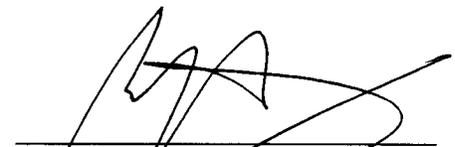
I am making this agreement of my own free will and accord and not under duress, compulsion or restraint of any kind or manner.

Date: 5/16/2001, 2001

  
EUGENE I. SACKS, M.D.  
Respondent

AGREED TO:

Date: 21 May, 2001

  
ROBERT BOGAN  
Associate Counsel  
Bureau of Professional Medical  
Conduct

Date: 25 May, 2001

  
DENNIS J. GRAZIANO  
Director, Office of Professional  
Medical Conduct

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

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IN THE MATTER  
OF  
EUGENE I. SACKS, M.D.  
CO-01-03-1255-A

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STATEMENT  
OF  
CHARGES

**EUGENE I. SACKS, M.D.**, the Respondent, was authorized to practice medicine in New York state on October 19, 1971, by the issuance of license number 110497 by the New York State Education Department.

**FACTUAL ALLEGATIONS**

A. On or about January 23, 2001, the State of Tennessee, Department of Health, (hereinafter "Tennessee Board"), by an Agreed Order of Surrender (hereinafter "Tennessee Order"), accepted the Surrender of Respondent's license to practice medicine, based on engaging in the practice of medicine when physically unable to safely do so.

B. The conduct resulting in the Tennessee Board disciplinary action against Respondent would constitute misconduct under the laws of New York State, pursuant to the following sections of New York State law:

1. New York Education Law §6530(7)(practicing the profession while impaired by physical disability).

**SPECIFICATION**

Respondent violated New York Education Law §6530(9)(d) by having surrendered his license to practice medicine after a disciplinary action was instituted by a duly authorized professional disciplinary agency of another state, where the conduct resulting in the surrender 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.

DATED: *May 21*, 2001  
Albany, New York

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

**ORDER**

Upon the proposed agreement of **EUGENE I. SACKS, 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 the 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 to Respondent at the addresses set forth in this agreement, or to Respondent's attorney, or upon transmission via facsimile to Respondent or Respondent's attorney, whichever is earliest.

DATED: 5/29, 2001



WILLIAM P. DILLON, M.D.  
Chair  
State Board for Professional  
Medical Conduct