



Board for Professional Medical Conduct

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

Mark R. Chassin, M.D., M.P.P., M.P.H.
Commissioner

C. Maynard Guest, M.D.
Executive Secretary

November 2, 1994

CERTIFIED MAIL-RETURN RECEIPT REQUESTED

Henry Morelewicz, M.D.
252 George Urban Boulevard
Buffalo, New York 14225

RE: License No. 038377
Effective Date: 11/9/94

Dear Dr. Morelewicz:

Enclosed please find Order #BPMC 94-233 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 12237-0756

Sincerely,

C. Maynard Guest, M.D.
Executive Director
Board for Professional Medical Conduct

Enclosure

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

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IN THE MATTER :
OF : ORDER
HENRY MORELEWICZ, M.D. : BPMC #94-233

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Upon the Application of HENRY MORELEWICZ, M.D. (Respondent) to Surrender his license as a physician in the State of New York, which application is made a part hereof, it is

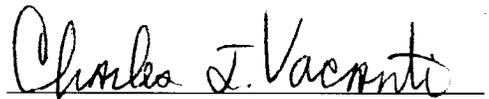
ORDERED, that the application and the provisions thereof are hereby adopted; it is further

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 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 via certified mail, whichever is earliest.

SO ORDERED,

DATED: 28 October 1994



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

Conduct for permission to surrender my license as a physician in the State of New York on the ground that I cannot successfully defend against the charges of professional misconduct set forth in the Fifth Specification of the Statement of Charges annexed hereto.

I hereby make this request to the State Board For Professional Medical Conduct and request that it be granted.

I understand that, if my application 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 application shall not be used against me in any way, and shall be kept in strict confidence during the pendency of any professional misconduct disciplinary proceeding; and such denial by the State Board For Professional Medical Conduct shall be made without prejudice to the institution and/or 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 that the State Board For Professional Medical Conduct grants my application, an order shall be issued striking my name from the roster of physicians in the State of New York without further notice to me.

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

Henry Morelewicz M.D.
HENRY MORELEWICZ, M.D.

Sworn to before me this
18 day of October, 1994

Joseph M. Carthy
Notary Public, State of New York
My Comm. Exp. / /

JOSEPH M. CARATHY
Notary Public, State of New York
Qualified in this County
My Commission Expires September 02, 1996

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

-----X

IN THE MATTER : APPLICATION TO
OF : SURRENDER
HENRY MORELEWICZ, M.D. : LICENSE
Respondent.

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The undersigned agree to the attached Application of the Respondent to surrender his license.

Date: October 18th, 1994

Henry Morelewicz MD
Henry Morelewicz, M.D.
Respondent

Date: October 18th, 1994

Joseph M. McCarthy
Joseph McCarthy, Esq.
Attorney for Respondent

Date: October 25th, 1994

Joseph Huberty
Joseph Huberty, Esq.
Assistant Counsel
Bureau of Professional Medical
Conduct

Date: Oct. 27, 1994

Kathleen M. Tanner
Kathleen M. Tanner
Director, Office of
Professional Medical Conduct

Date: 28 October 1994

Charles J. Vacanti
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

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IN THE MATTER : STATEMENT
OF : OF
HENRY MORELEWICZ, M.D. : CHARGES

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HENRY MORELEWICZ, the Respondent, was authorized to practice medicine in New York State on October 14, 1940, by the issuance of license number 038377 by the New York State Education Department. The Respondent is currently registered with the New York State Education Department to practice medicine in New York State for the period from January 1, 1993 to December 31, 1994. Respondent's address as shown on his registration with the New York State Education Department is 252 George Urkan Boulevard, Buffalo, New York 14225.

FACTUAL ALLEGATIONS

A. Patient "A" (all patients are identified in Appendix A annexed hereto) was hospitalized at St. Joseph's Hospital, Cheektowaga, New York from on or about November 14, 1987 to on or about January 13, 1988. Respondent attended and treated Patient "A" during this period of hospitalization. Patient A was admitted in a comatose condition with a brain stem infarction.

- 1) Shortly after admission Respondent ordered administration of Lasix 40 mg intravenously 8h x 3 doses without any apparent medical need

EXHIBIT "A"

therefore.

- 2) Patient "A" was hospitalized for a period of two (2) months in a comatose condition. Respondent failed to order or administer any nutritional support for Patient "A" during this period.
- 3) On or about November 14, 1987 Respondent ordered daily administration of Lasix 40 mg intravenously 8h x 3 doses without concurrently ordering potassium replacement.
- 4) On or about November 14, 1987 Respondent ordered/prescribed ampicillin for Patient "A". Patient "A"'s chart clearly indicated she was allergic to penicillin and penicillin derivatives.
- 5) On or about January 4, 1988 Respondent ordered insulin injection for Patient "A" who then had a glucose level of 201 and thereafter failed to modify or alter the level of insulin administration until Patient "A"'s glucose level had declined to a level of 37.

B. Patient "B" was hospitalized at St. Joseph's Hospital, Cheektowaga, New York from on or about October 19, 1987 to on or about October 24, 1987. Respondent was the attending physician for Patient "B". On admission her complaints were "chest pain and difficulty breathing". An x-ray and other diagnostic tests showed her to be anemic and to be suffering congestive heart failure with bilateral effusions and to have an ileus. An electrocardiogram performed on admission (10/19/89) showed atrial

fibrillation. A second electrocardiogram (10/20/89) performed the morning after admission clearly showed Patient "B" had suffered a myocardial infarction.

- 1) Respondent failed to record any "History" for Patient "B" or perform or record any physical examination on her admission to St. Joseph's Hospital.
- 2) At no time did Respondent order that Patient "B" be placed in a "monitored bed".
- 3) Respondent failed to order a cardiology consult.
- 4) Respondent ordered administration of Digitalis for Patient "B" before securing any laboratory or other test results.
- 5) Respondent ordered an "Upper GI Series" for Patient "B" who was suffering a severe cardiac event.
- 6) Respondent failed to develop or record any treatment plan for Patient "B".
- 7) Although aware that Patient "B" was suffering an ileus and possible gastrointestinal event, Respondent ordered oral Motrin for Patient "B".
- 8) Respondent attempted to "push fluids" by intravenous infusion after a diagnosis of myocardial infarction had been made;
- 9) Respondent failed to recognize or treat Patient "B"s anemia.
- 10) When Patient "B"'s temperature rose to 102 degrees Respondent failed to change the ongoing therapy

regimen or order any diagnostic tests to ascertain the cause of the elevation in temperature.

C. Patient "C" was hospitalized at St. Joseph's Hospital from on or about September 9, 1987 to on or about September 19, 1987. Respondent was the attending physician for Patient "C". Patient "C" presented with a history of decreased blood pressure and an abdominal mass. Laboratory tests at time of admission showed here to be suffering hypercalcemia.

- 1) Respondent failed to note and in a timely manner treat Patient "C"'s iatrogenic hypercalcemia;
- 2) Respondent failed to order discontinuance or adjust the administration of Lasix after treatment for hypercalcemia had been instituted.
- 3) Respondent failed to appropriately monitor Patient "C"'s serum electrolytes.
- 4) Respondent failed to chart and treat Patient "C" extremely low serum sodium level of 103 (normal 135 to 145).
- 5) Respondent failed to record or to order that Patient "C"s "intake and output" be recorded and closely monitored.

D. Patient "D" was hospitalized at St. Joseph's Hospital in Cheektowaga, New York from on or about April 25, 1988 to on or about May 2, 1988. Respondent was the attending physician for Patient "D". On admission Patient "D" complained of chest pain

and abdominal pain. A cardiology consultant ordered a myocardial profile and a 2D echocardiogram.

- 1) Respondent ordered an "Upper GI Series" for Patient "D" before receiving the results of either the myocardial profile or the 2D echocardiogram.

SPECIFICATION OF CHARGES

FIRST SPECIFICATION

PRACTICING THE PROFESSION WITH NEGLIGENCE ON MORE THAN ONE OCCASION

Respondent is charged with practicing the profession with negligence on more than one occasion in violation of N.Y. Educ. Law §6530(3) (McKinney Supp. 1994) (formerly N.Y. Educ. Law §6509(2)), in that Petitioner charges that Respondent committed two or more of the following:

- 1) The facts in paragraphs A, A.1, A.2, A.3, A.4, A.5, B, B.1, B.2, B.3, B.4, B.5, B.6, B.7, B.9, B.10, C, C.2, C.3, C.4, C.5, D, and/or D.1.

SECOND SPECIFICATION

PRACTICING THE PROFESSION WITH GROSS NEGLIGENCE

Respondent is charged with practicing the profession with gross negligence in violation of N.Y. Educ. Law §6530(4) (McKinney

Supp. 1994) (formerly N.Y. Educ. Law §6509(2) in that Petitioner charges:

- 2) The facts in paragraphs A, A.2, A.3, A.4, A.5, B, B.1, B.2, B.3, B.5, B.9, C, and/or C.4.

THIRD SPECIFICATION

PRACTICING THE PROFESSION WITH INCOMPETENCE

ON MORE THAN ONE OCCASION

Respondent is charged with practicing the profession with incompetence on more than one occasion in violation of N.Y. Educ. Law §6530(5) (McKinney Supp. 1994) (formerly N.Y. Educ. Law §6509(2) in that Petitioner charges that Respondent committed two or more of the following:

- 3) The facts in paragraphs A, A.1, A.2, A.3, B, B.4, B.5, B.7, B.8, C, C.1, D, and/or D.1.

FOURTH SPECIFICATION

PRACTICING THE PROFESSION WITH GROSS INCOMPETENCE

Respondent is charged with practicing the profession with gross incompetence in violation of N.Y. Educ. Law §6530(6) (McKinney Supp. 1994) (formerly N.Y. Educ. Law §6509(2) in that Petitioner charges:

- 4) The facts in paragraphs A., A.1, A.2, A.3, B, B.4, B.5, B.7, B.8, C, and/or C.1.

FIFTH SPECIFICATION

FAILURE TO MAINTAIN A RECORD WHICH ACCURATELY
REFLECTS THE EVALUATION AND TREATMENT OF THE PATIENT

Respondent is charged with failing to maintain a record for each patient which accurately reflects the evaluation and treatment of each patient in violation of New York Educ. Law §6530(32) (McKinney Supp. 1994) (formerly New York Educ. Law §6509(9) (8 NYCRR 29.2(3)) in that Petitioner charges:

- 5) The facts in paragraphs B, B.1, C, C.4 and/or C.5.

Dated: Albany, New York
October *25*, 1994


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