



**Board for Professional Medical Conduct**

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

**C. Maynard Guest, M.D.**  
Executive Secretary

July 8, 1992

**CERTIFIED MAIL-RETURN RECEIPT REQUESTED**

Edward Michael Holden, M.D.  
3631 Serra Road  
Malibu, CA 90265

RE: License No. 131708  
Effective 07/15/92

Dear Dr. Holden:

Enclosed please find Order #BPMC 92-55 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  
: EDWARD MICHAEL HOLDEN, M.D. : BPMC # 92-55  
: :  
-----X

Upon the Application of EDWARD MICHAEL HOLDEN M.D. to surrender his license to practice medicine in the State of New York, sworn to the 23rd day of June 1992, said Application being Annexed hereto and made a part hereof, it is

ORDERED, that said Application and the provisions therein are hereby adopted, 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 upon Respondent's receipt of the Order by certified mail, or seven days after the date of the letter transmitting the Order to Respondent by certified mail, whichever is earlier.

SO ORDERED,

DATED: 2 July 1992

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 : APPLICATION TO  
OF : SURRENDER  
EDWARD MICHAEL HOLDEN, M.D. : LICENSE  
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STATE OF CALIFORNIA )  
                          ss. :  
COUNTY OF LOS ANGELES)

EDWARD MICHAEL HOLDEN, M.D., being duly sworn, deposes and says:

On or about July 29, 1977, I was licensed to practice as a physician in the State of New York having been issued License No. 131708 by the New York State Education Department.

I am not presently registered with the New York State Education Department to practice as a physician in the State of New York.

I understand that I have been charged with three (3) specifications 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 permission to surrender my license as a physician in the State of New York on the grounds that I admit guilt to the three specifications of professional misconduct set forth in the annexed Statement of Charges marked Exhibit "A".

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

I understand that, in the event that the 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 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 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.

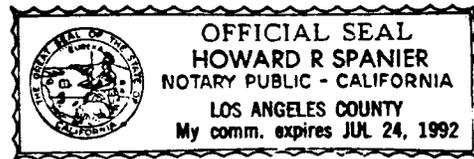
I am making this Application of my own free will and accord and not under duress, compulsion, or restraint of any kind or manner.

Edward Michael Holden M.D.  
EDWARD MICHAEL HOLDEN, M.D.  
Respondent

STATE OF CALIFORNIA  
COUNTY OF LOS ANGELES 33.

Sworn to before me this  
23<sup>rd</sup> day of JUNE, 1992

Howard R Spanier  
NOTARY PUBLIC



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

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IN THE MATTER : APPLICATION TO  
OF : SURRENDER  
EDWARD MICHAEL HOLDEN, M.D. : LICENSE  
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The undersigned agree to the attached application of the Respondent to surrender his license.

Date: 6/20, 1992 Edward Michael Holden M.D.  
EDWARD MICHAEL HOLDEN, M.D.  
Respondent

Date: June 26, 1992 Joseph Huberty  
JOSEPH HUBERTY,  
Senior Attorney  
Bureau of Professional  
Medical Conduct

Date: July 8, 1992 Kathleen M. Tanner  
KATHLEEN M. TANNER  
Director, Office of Professional  
Medical Conduct

Date: 2 July, 1992 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

-----X

IN THE MATTER : STATEMENT  
OF : OF  
EDWARD MICHAEL HOLDEN, M.D. : CHARGES

-----X

EDWARD MICHAEL HOLDEN, M.D., the Respondent, was authorized to practice medicine in New York State on July 29, 1977 by the issuance of license number 131708 by the New York State Education Department. The Respondent is not currently registered with the New York State Education Department to practice medicine in New York State. Respondent's last registered address with the New York State Education Department was 3631 Serra Road, Malibu, California 90265.

FACTUAL ALLEGATIONS

A. On or about June 22, 1990 in a criminal proceeding entitled United States of America, Plaintiff vs. Edward Michael Holden, M.D., Defendant (Docket #CR90-419(A) - WJR), by First Superseding Information, the United States Attorney for the Central District of California charged Respondent Edward Michael Holden, M.D., in two counts, with violations of 21 USC

§841(a)(1) and 21 CFR 1306.04(a) involving his distribution by prescription, of Hydromorphone and Methadone to two patients on or about February 18, 1987, outside the course of professional practice and not for a legitimate medical purpose.

On or about July 30, 1990, Respondent appeared in person and with Counsel before the United States District Court, Central District of California, pled guilty to the charges set forth in Count One of the First Superseding Information stood convicted of a violation thereof, a felony, and was sentenced to five years probation.

B. By Decision and Order (# D-4392) of the Division of Medical Quality, Medical Board of California, Dept. of Consumer Affairs of the State of California dated February 4, 1991, effective March 6, 1991, the Medical Quality Board of California, the duly Authorized professional disciplinary Agency of the State of California, revoked Respondent's physicians and surgeons certificate authorizing Respondent to practice the profession of medicine in the State of California.

The Medical Board of California among other things, found Respondent guilty of acts of professional misconduct which if committed in New York State would also constitute professional misconduct, to wit:

1. Gross negligence in the practice of medicine, a violation of California Business and Professions Code 2234(b) and also defined as professional misconduct pursuant to N.Y. Educ. Law 6530(4) (McKinney's Supp. 1992) [formerly NY Educ. Law 6509(2)].
  
2. Repeated acts of negligence in violation of California Business and Professions Code §2234(c) and also defined as professional misconduct pursuant to N.Y. Educ. Law 6530(3) (McKinney's Supp. 1992) [formerly NY Educ. Law 6509(2)].

SPECIFICATION OF CHARGES

FIRST SPECIFICATION

CONVICTED OF A CRIME UNDER  
FEDERAL LAW

Respondent is charged with professional misconduct under N.Y. Educ. Law §6530(9)(a)(ii) (McKinney Supp. 1992) [formerly Educ. Law §6509(5)(a)(ii)] in having committed an act constituting a crime under Federal law, in that Petitioner charges:

1. The facts in Paragraph A.

SECOND SPECIFICATION

IMPROPER PROFESSIONAL PRACTICE

Respondent is charged with professional misconduct in violation of N.Y. Educ. Law §6530(9)(b) (McKinney Supp. 1992) [formerly N.Y. Educ. Law §6509(5)(b)] in that Respondent was found guilty of improper professional practice and professional misconduct by a duly authorized professional disciplinary agency of another state when 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, in that Petitioner Charges:

2. The facts in paragraph B, B.1 and/or B.2.

THIRD SPECIFICATION

HAVING MEDICAL LICENSE  
REVOKED BY ANOTHER STATE

Respondent is charged with professional misconduct in violation of N.Y. Educ. Law §6530(9)(d) (McKinney Supp. 1992) [formerly N.Y. Educ. Law §6509(5)(d)] in that Respondent's license to practice medicine was revoked after a disciplinary action was instituted by a duly authorized professional disciplinary agency of another state, where the conduct resulting in the revocation would, if committed in New York

State, constitute professional misconduct under the laws of New York State, in that Petitioner charges:

3. The facts in Paragraph B, B.1 and/or B.2

DATED: Albany, New York  
*June 16, 1992*

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