



***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*

Dennis P. Whalen  
*Executive Deputy Commissioner  
NYS Department of Health*

Dennis J. Graziano, Director  
*Office of Professional Medical Conduct*

**PUBLIC**

Michael A. Gonzalez, R.P.A.  
*Vice Chair*

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

October 27, 2004

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

Richard G. Ruhling, M.D.  
P.O. Box 432  
Daytona, TN 37321

Re: License No. 138382

Dear Dr. Ruhling:

Enclosed please find Order #BPMC 04-237 of the New York State Board for Professional Medical Conduct. This order and any penalty provided therein goes into effect November 3, 2004.

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 the 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

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

IN THE MATTER

SURRENDER

OF

ORDER

RICHARD G. RUHLING, M.D.  
CO-04-07-3409-A

BPMC No. 04-237

RICHARD G. RUHLING, M.D., says:

UH

On or about June 29, 1979, I was licensed to practice medicine as a physician in the State of New York having been issued License No. 138382 by the New York State Education Department. *I have not practiced medicine in NY in 20 years. I currently live in Dayton, TN.*

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 two (2) specifications of professional misconduct as set forth in the Statement of Charges, annexed hereto, made a part hereof, and marked as Exhibit "A." *Nothing found marked "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, hereby, agree not to <sup>legally</sup> contest the two (2) specifications set forth in the Statement of Charges (Exhibit A). *For there seems no point in doing so now - I should have done so when Kentucky so poorly & un-fairly worded the order of surrender. The*

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 *sign. Not know the le imdice*

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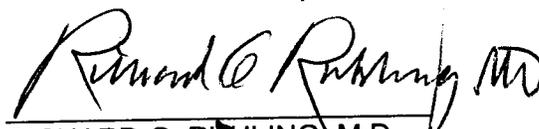
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confidence during the pendency of the professional misconduct disciplinary proceeding; and such denial by the State Board for Professional Medical Conduct shall be made without prejudice to the continuance of any disciplinary proceeding and the final 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.

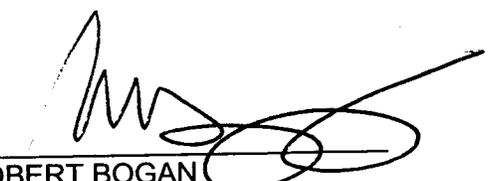
I am making this agreement of my own free will and accord and not under duress, compulsion or restraint of any kind of manner. *with the understanding that this is not to be reported to the media.*

Date: Oct 7, 2004

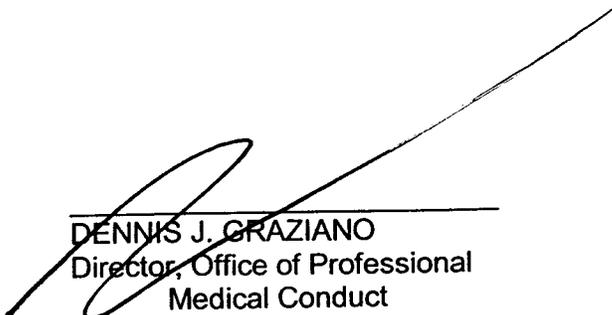
  
RICHARD G. RINLING, M.D.  
Respondent *UH*

AGREED TO:

Date: 20 October, 2004

  
ROBERT BOGAN  
Associate Counsel  
Bureau of Professional Medical Conduct

Date: 21 October, 2004

  
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  
RICHARD G. RUHLING, M.D.  
CO-04-07-3409-A

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STATEMENT  
OF  
CHARGES

**RICHARD G. RUHLING, M.D.**, the Respondent, was authorized to practice medicine in New York state on June 29, 1979, by the issuance of license number 138382 by the New York State Education Department.

**FACTUAL ALLEGATIONS**

A.        On or about May 19, 2004, the Commonwealth of Kentucky, Kentucky Board of Medical Licensure (hereinafter "Kentucky Board"), by an Agreed Order of Surrender (hereinafter "Kentucky Order"), accepted the surrender of Respondent's license to practice medicine, based on engaging in dishonorable, unethical, or unprofessional conduct of a character likely to deceive, defraud, or harm the public or any member thereof and conduct which is calculated or has the effect of bringing the medical profession into disrepute.

B.        The conduct resulting in the Kentucky Board's 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(17) (exercising undue influence on the patient);  
and/or
2.        New York Education Law §6530(20) (moral unfitness).

**SPECIFICATIONS**  
**FIRST SPECIFICATION**

Respondent violated New York Education Law §6530(9)(b) by having 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, in that Petitioner charges:

1. The facts in Paragraphs A and/or B.

**SECOND SPECIFICATION**

Respondent violated New York Education Law §6530(9)(d) by having voluntarily 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 voluntary surrender would, if committed in New York state, constitute professional misconduct under the laws New York state, in that Petitioner charges:

2. The facts in Paragraphs A and/or B.

DATED: *Sept. 24*, 2004  
Albany, New York

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

**ORDER**

Upon the proposed agreement of **RICHARD G. RHULING, 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: 10/25, 2004

  
MICHAEL A. GONZALEZ, R.P.A.  
Vice Chair  
State Board for Professional  
Medical Conduct