



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

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

PUBLIC

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NYS Department of Health

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NYS Department of Health

Dennis J. Graziano, Director  
Office of Professional Medical Conduct

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

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

March 30, 2004

**CERTIFIED MAIL-RETURN RECEIPT REQUESTED**

Edelfonso Ramon Mendez, D.O.  
6507 Smith Avenue  
Apt. 2  
North Bergen, NJ 07047

Re: License No. 192634

Dear Dr. Mendez:

Enclosed please find Order #BPMC 04-60 of the New York State Board for Professional Medical Conduct. This order and any penalty provided therein goes into effect April 6, 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

cc: Dennis D. S. McAlvery, Esq.  
1814 Kennedy Blvd.  
Union City, NJ 07087

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IN THE MATTER  
OF  
EDELSON RAMON MENDEZ, D.O.

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ORDER FOR  
LIMITATION ON  
PRACTICE OF  
MEDICINE

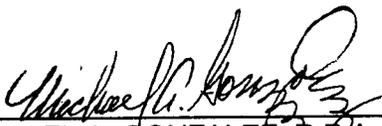
Upon the proposed application and agreement of **EDELSON RAMON MENDEZ, D.O.**, (Respondent) for an Order, by which Respondent agrees to practice medicine in New York State under certain limitations pending the final disposition of the present Department of Health, Office of Professional Medical Conduct investigation of certain aspects of the Respondent's medical practice, which application and agreement is made a part hereof, it is agreed and

ORDERED, that the application and agreement and the provisions, thereof, are hereby adopted and so ORDERED, and 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 of the Order to Respondent at the address set forth in this agreement or to Respondent's attorney by certified mail or upon transmission via facsimile to Respondent or Respondent's attorney, whichever is earliest.

SO ORDERED.

DATED: 3/26/04

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

Upon entry of the within Order, Respondent shall retain, at his own expense, a licensed professional who will serve as his chaperone. Respondent shall propose the name of this individual to the Director, OPMC in advance for the Director's approval. Such chaperone shall indicate her presence by initialing the patient chart for each examination. Until such chaperone is present and approved by the Director, Respondent shall not treat any patients under the age of 18.

Nothing contained herein shall be deemed an admission of liability on the part of Respondent. Nothing contained herein shall restrict or limit further investigation and prosecution of this matter.

It is understood that by entry of this Order, the parties herein do not waive any right to apply for any additional relief provided for by law.

For the purposes for this agreement, "final disposition" shall mean the latter of any disposition by administrative closure or determination of a Hearing Committee of the State Board for Professional Medical Conduct or determination of the Administrative Review Board of the State Board for Professional Medical Conduct.

I stipulate, hereby, that any failure by me to comply with the above condition imposed by this Order shall constitute misconduct as defined by New York State Education Law §6530(29).

I presently maintain hospital privileges at Passaic Beth-Israel Regional Medical Ctr  
350 Boulevard, Passaic NJ  
My employment is Monroe Medical Center 293 Monroe St. Passaic, NJ 07055

I, hereby, make this Application to the Board and request that it be signed.

I understand that, in the event that this Application is not granted by the Board, nothing contained herein shall be binding upon me or construed to be an admission of any act of

misconduct alleged or charges 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 Board shall be made without prejudice to the continuance of any disciplinary proceeding, and the final determination by the Board, 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. I agree that such order shall be effective upon issuance by the Board, which may be accomplished by mailing, by first class mail, a copy of the Order to my attorney, or upon transmission via facsimile to my attorney, whichever is earliest.

I am making this Application on my own free will and accord and not under duress, compulsion or restraint of any kind or manner. In consideration of the value to me of the acceptance by the Board of this Application, I knowingly waive any right I may have to contest the Order for which I hereby apply, whether administratively or judicially, and ask that this Application be granted.

AFFIRMED:

DATED: 2/7/04

  
EDELFINO RAMON MENDEZ, D.O.  
Respondent

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

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IN THE MATTER  
  
OF  
  
**EDELSONSO RAMON MENDEZ, D.O.**  
**CO-04-01-0225-A**

**APPLICATION FOR  
AND AGREEMENT OF  
LIMITATION ON PRACTICE  
OF MEDICINE/ ORDER OF  
THE BOARD**

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**EDELSONSO RAMON MENDEZ, D.O.**, (Respondent) deposes and says:

That on or about June 30, 1993, I was licensed to practice as a physician in the State of New York, having been issued License No. 192634 by the New York State Education Department.

My current registration address is 6507 Smith Avenue, Apt. 2, North Bergen, NJ 07047, and I will advise the Director of the Office of Professional Medical Conduct of any change of my address within thirty (30) days thereof.

I understand that the New York State Board for Professional Medical Conduct is investigating certain aspects of my medical practice to determine if I may have engaged in professional misconduct in that:

This matter was originally opened by the New Jersey State Board of Medical Examiners (hereinafter the "New Jersey Board"), upon receipt of information that a Criminal Complaint had been filed in the United States District Court, District of New Jersey, on September 5, 2003, charging **Edelfonso Mendez, D.O.** (hereinafter "Respondent"), with knowingly and willfully possessing a computer, which computer contained at least three (3) images of child pornography, as defined by 18 U.S.C. §2256, which were shipped and transported in interstate and foreign commerce and were produced using materials that were shipped and transported in interstate commerce, in violation of

18 U.S.C. §2252(a)(5)(b). As a condition for bail, the Hon. Mark Falk, United States Magistrate Judge, issued restrictions barring Respondent from being in the presence of any child under the age of eighteen (18), except for Respondent's own child, and further barring Respondent from rendering medical treatment to any patient under the age of eighteen (18) unless Respondent provides said service in the presence of a chaperone and provides a letter to the parent warning them of the pending criminal charges.

The New Jersey Board had preliminarily determined that the Respondent should be chaperoned while rendering medical services to any patient pending the disposition of the criminal proceeding.

The New Jersey Board and Respondent, thereafter, entered into an Interim Consent Order (Exhibit A).

The State Board for Professional Medical Conduct (hereinafter "the Board"), finding that this resolution is adequately protective of the public health, safety and welfare, and it appearing that good cause exists for the entry of the within Order,

I, hereby, agree to the following restrictions:

ORDERED AND AGREED that:

Respondent, Edelfonso Mendez, D.O., shall not provide treatment to any patient under the age of eighteen (18) unless he provides a letter to the parent, warning them of the pending criminal charges.

Respondent shall have a chaperone present whenever he renders medical treatment to any patient pending the disposition of the criminal proceeding.

The undersigned agree to the attached application of the Respondent and to the proposed penalty based on the terms and conditions thereof.

DATE: 2/7/04



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DENNIS D. G. MCALEVY, ESQ.  
Attorney for Respondent

DATE: 17 February 2004



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ROBERT BOGAN  
Associate Counsel  
Bureau of Professional Medical Conduct

DATE: 24 March 2004



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DENNIS J. GRAZIANO  
Director  
Office of Professional Medical Conduct