

THE STATE EDUCATION DEPARTMENT / THE UNIVERSITY OF THE STATE OF NEW YORK / ALBANY, N.Y. 12234

OFFICE OF PROFESSIONAL DISCIPLINE
ONE PARK AVENUE, NEW YORK, NEW YORK 10016-5802

April 12, 1990

Gregory Calkins, Physician
7211 Calumet Avenue - Suite 202
Hammond, Indiana 46324

Re: License No. 172708

Dear Dr. Calkins:

Enclosed please find Commissioner's Order No. 10416. This Order and any penalty contained therein goes into effect five (5) days after the date of this letter.

If the penalty imposed by the Order is a surrender, revocation or suspension of your license, you must deliver your license and registration to this Department within ten (10) days after the date of this letter. In such a case your penalty goes into effect five (5) days after the date of this letter even if you fail to meet the time requirement of delivering your license and registration to this Department.

Very truly yours,

DANIEL J. KELLEHER
Director of Investigations
By:

MOIRA A. DORAN
Supervisor

DJK/MAH/er
Enclosures

CERTIFIED MAIL- RRR

cc:

RECEIVED

APR 19 1990

Office of Professional
Medical Conduct

**REPORT OF THE
REGENTS REVIEW COMMITTEE**

GREGORY CALKINS

CALENDAR NO. 10416



The University of the State of New York

IN THE MATTER

of the

Disciplinary Proceeding

against

GREGORY CALKINS

No. 10416

who is currently licensed to practice
as a physician in the State of New York.

REPORT OF THE REGENTS REVIEW COMMITTEE

GREGORY CALKINS, hereinafter referred to as respondent, was given due notice of this proceeding and informed that he could appear and be represented by an attorney.

On December 20, 1989, the scheduled date of our hearing, neither petitioner nor respondent appeared before us in person in accord with their December 8, 1989 stipulation which was made part of the record herein.

Petitioner's and respondent's recommendation as to the penalty to be imposed, should respondent be found guilty, was that respondent's license to practice as a physician in the State of New York be suspended for three years, a stay of the suspension, and probation consistent with and concurrent with the terms of probation in the conviction.

We have reviewed the record in this matter; and our unanimous

GREGORY CALKINS (10416)

findings of fact, determination as to guilt, and recommendation as to the penalty to be imposed follow:

FINDINGS OF FACT

1. Respondent was licensed to practice as a physician in this State by the New York State Education Department.
2. Respondent was convicted of committing an act constituting a crime under Federal law, as set forth in the statement of charges and the record herein.

DETERMINATION AS TO GUILT

The charge contained in the statement of charges, a copy of which is annexed hereto, made a part hereof, and marked as Exhibit "A", has been proven by a preponderance of the evidence and respondent is guilty thereof.

**RECOMMENDATION AS TO THE
PENALTY TO BE IMPOSED**

Respondent's license to practice as a physician in the State of New York be suspended for three years upon the charge of which respondent has been found guilty, that execution of said suspension be stayed, and respondent be placed on probation for three years under the terms set forth in the exhibit annexed hereto, made a part hereof, and marked as Exhibit "B".

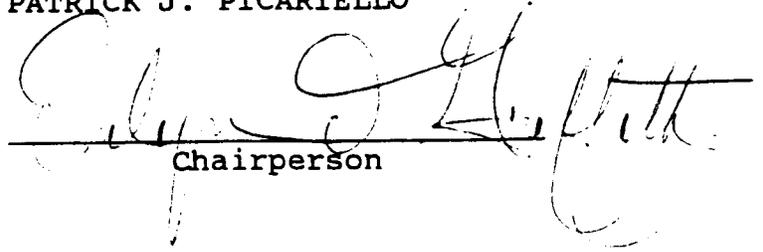
GREGORY CALKINS (10416)

Respectfully submitted,

EMLYN I. GRIFFITH

JANE M. BOLIN

PATRICK J. PICARIELLO


Chairperson

Dated: 2/14/90

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

-----X
IN THE MATTER : STATEMENT
OF : OF
GREGORY CALKINS, M.D. : CHARGES
-----X

The State Board for Professional Medical Conduct, upon information and belief, charges and alleges as follows:

1. GREGORY CALKINS, M.D., herein referred to as the Respondent, was authorized to practice medicine in New York State on October 13, 1987 by the issuance of license number 172708 by the New York State Education Department.
2. The Respondent is not currently registered with the New York State Education Department to practice medicine. His last known address is Suite 202, 7211 Calumet Avenue, Hammond, Indiana 46324.
3. The Respondent is charged with professional misconduct within the purview of N.Y. Educ. Law § 6509 (McKinney 1985 and Supp. 1989) as set forth in the attached Specification.

SPECIFICATION

4. The Respondent is charged with professional misconduct by reason of being convicted of committing an act constituting a crime under Federal law, within the meaning of N.Y. Educ. Law §6509(5)(a)(ii) (McKinney 1985), in that:

By Indictment filed September 18, 1987 with the United States District Court, Northern District of Indiana, Hammond Division, the Respondent was charged with three counts of failing to file an income tax return with the Internal Revenue Service and failing to pay income tax as was owing in violation of Title 26, United States Code §7201, for the calendar years 1982, 1983, and 1984. Following a plea bargain, the Respondent was convicted of one count of the Indictment pursuant to a Judgement and Probation/Commitment Order, entered December 18, 1987, in the United States District Court for the Northern District of Indiana. The Respondent was sentenced to five years' imprisonment and directed to pay a \$ 1,000.00 fine and \$ 50.00 assessment. Execution of the sentence of imprisonment was suspended and the Respondent was placed on probation, which terms include 500 hours community service.

DATED: Albany, New York
November 19, 1951

Peter D. Van Buren

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

EXHIBIT "B"

TERMS OF PROBATION
OF THE REGENTS REVIEW COMMITTEE

GREGORY CALKINS

CALENDAR NO. 10416

1. That respondent shall make quarterly visits to an employee of and selected by the Office of Professional Medical Conduct of the New York State Department of Health, unless said employee agrees otherwise as to said visits, for the purpose of determining whether respondent is in compliance with the following:
 - a. That respondent, during the period of probation, shall act in all ways in a manner befitting respondent's professional status, and shall conform fully to the moral and professional standards of conduct imposed by law and by respondent's profession;
 - b. That respondent shall submit written notification to the New York State Department of Health, addressed to the Director, Office of Professional Medical Conduct, Empire State Plaza, Albany, NY 12234 of any employment and/or practice, respondent's residence, telephone number, or mailing address, and of any change in respondent's employment, practice, residence, telephone number, or mailing address within or without the State of New York;
 - c. That respondent shall submit written proof from the Division of Professional Licensing Services (DPLS), New York State Education Department (NYSED), that respondent has paid all registration fees due and owing to the NYSED and respondent shall cooperate with and submit whatever papers are requested by DPLS in regard to said registration fees, said proof from DPLS to be submitted by respondent to the New York State Department of Health, addressed to the Director, Office of Professional Medical Conduct, as aforesaid, no later than the first three months of the period of probation; and
 - d. That respondent shall submit written proof to the New York State Department of Health, addressed to the Director, Office of

GREGORY CALKINS (10416)

Professional Medical Conduct, as aforesaid, that 1) respondent is currently registered with the NYSED, unless respondent submits written proof to the New York State Department of Health, that respondent has advised DPLS, NYSED, that respondent is not engaging in the practice of respondent's profession in the State of New York and does not desire to register, and that 2) respondent has paid any fines which may have previously been imposed upon respondent by the Board of Regents; said proof of the above to be submitted no later than the first two months of the period of probation;

2. If the Director of the Office of Professional Medical Conduct determines that respondent may have violated probation, the Department of Health may initiate a violation of probation proceeding and/or such other proceedings pursuant to the Public Health Law, Education Law, and/or Rules of the Board of Regents.

**ORDER OF THE COMMISSIONER OF
EDUCATION OF THE STATE OF NEW YORK**

GREGORY CALKINS

CALENDAR NO. 10416



The University of the State of New York

IN THE MATTER

OF

GREGORY CALKINS
(Physician)

**DUPLICATE
ORIGINAL
VOTE AND ORDER
NO. 10416**

Upon the report of the Regents Review Committee, a copy of which is made a part hereof, the record herein, under Calendar No. 10416, and in accordance with the provisions of Title VIII of the Education Law, it was

VOTED (March 23, 1990): That the record herein be accepted; that the findings of fact, determination as to guilt, and recommendation as to the penalty to be imposed rendered by the Regents Review Committee in the matter of GREGORY CALKINS, respondent, be accepted; that respondent is guilty of the charge by a preponderance of the evidence; that respondent's license and registration to practice as a physician in the State of New York be suspended for three years upon the charge of which respondent has been found guilty; that execution of said suspension be stayed; that respondent be placed on probation for three years under the terms prescribed by the Regents Review Committee; and that the Commissioner of Education be empowered to execute, for and on behalf of the Board of Regents, all orders necessary to carry out the terms of this vote;

and it is

ORDERED: That, pursuant to the above vote of the Board of Regents, said vote and the provisions thereof are hereby adopted and **SO ORDERED**, and it is further

GREGORY CALKINS (10416)

ORDERED that this order shall take effect as of the date of the personal service of this order upon the respondent or five days after mailing by certified mail.

IN WITNESS WHEREOF, I, Thomas Sobol, Commissioner of Education of the State of New York, for and on behalf of the State Education Department and the Board of Regents, do hereunto set my hand and affix the seal of the State Education Department, at the City of Albany, this 30th day of

March, 1990.

Thomas Sobol

Commissioner of Education

