



New York State Board for Professional Medical Conduct

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

Barbara A. DeBuono, M.D., M.P.H.
Commissioner of Health

Patrick F. Carone, M.D., M.P.H.
Chair
Ansel R. Marks, M.D., J.D.
Executive Secretary

July 22, 1998

CERTIFIED MAIL-RETURN RECEIPT REQUESTED

Jay Nassar, M.D.
4010 Pine Needles Drive
Harrisburg, PA 17112

RE: License No. 183251

Dear Dr. Nassar:

Enclosed please find Order #BPMC 98-144 of the New York State Board for Professional Medical Conduct. This Order and any penalty provided therein goes into effect **July 29, 1998.**

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
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: Kalimah Jenkins, Esq.

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

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IN THE MATTER : SURRENDER
OF : ORDER
JAY NASSAR, M.D. : BPMC #98-144

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JAY NASSAR, M.D., says:

On or about July 26, 1990, I was licensed to practice medicine as a physician in the State of New York having been issued License No. 183251 by the New York State Education Department.

My current address is 4010 Pine Needles Drive, Harrisburg, PA 17112.

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 I have been charged with one specification of professional misconduct based solely on action taken against my license by the Commonwealth of Pennsylvania and 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 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 contest the allegations and one specification set forth in the Statement of Charges (Exhibit A).

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 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 agrees with my proposal, this 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 agreement of my own free will and accord and not under duress, compulsion, or restraint of any kind or manner.



JAY NASSAR, M.D.
Respondent

AGREED TO:

Date: _____, 1998

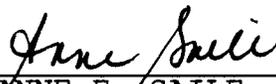
Esq.
Attorney for Respondent

Date: 7/16, 1998



KALIMAH J. JENKINS
Assistant Counsel
Bureau of Professional
Medical Conduct

Date: July 15, 1998



ANNE F. SAILE
Director, Office of
Professional Medical Conduct

ORDER

Upon the proposed agreement of JAY NASSAR, 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 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.

DATED: 7/19/98



PATRICK F. CARONE, M.D., M.P.H.
Chair
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
JAY NASSAR, M.D. : CHARGES

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JAY NASSAR, M.D., the Respondent, was authorized to practice medicine in New York State on July 26, 1990 by the issuance of license number 183251 by the New York State Education Department. The Respondent is not currently registered with the New York State Education Department to practice medicine. Respondent's current address is 4010 Pine Needles Drive, Harrisburg, PA 17112.

FACTUAL ALLEGATIONS

A. Respondent's license to practice medicine in the State of Pennsylvania became the subject of a disciplinary action relating to events occurring from approximately November 1993 through approximately April 1996.

B. Pursuant to a Consent Agreement and Order approved by the Pennsylvania State Board of Medicine on August 26, 1997, Respondent was ordered to pay a \$2,000 civil penalty and \$1,600 in costs.

C. The sanctions imposed upon Respondent's license was based upon Respondent's prescribing of medical treatment to a hospital employee without maintaining the requisite records and Respondent's prescribing controlled substances to a hospital

employee without conforming to the minimum standards required by the Board for prescribing of such substances.

D. The conduct resulting in the disciplinary action would constitute professional misconduct if committed in New York State under Education Law §§ 6530(9)(e) -- having been found guilty by the commissioner to have violated article 33 of the Public Health Law (controlled substances) -- and 6530(32) -- failure to maintain adequate records.

FIRST SPECIFICATION

Respondent is charged with professional misconduct under New York Education Law § 6530(9)(b) in that he has been found guilty of 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 and/or C and/or D above.

DATED: , 1998
Albany, New York

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