



**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  
Anne F. Saile, Director  
Office of Professional Medical Conduct

William P. Dillon, M.D.  
Chair

Denise M. Bolan, R.P.A.  
Vice Chair

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

August 22, 2000

**CERTIFIED MAIL-RETURN RECEIPT REQUESTED**

Russell Minton, M.D.  
876 Moorehen Court  
Heron's Landing  
Vierra, Florida 32955

RE: License No. 096634

Dear Dr. Minton:

Enclosed please find Order #BPMC 00-231 of the New York State Board for Professional Medical Conduct. This Order and any penalty provided therein goes into effect August 22, 2000.

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 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: Charles E. Kutner, Esq.  
Pulvers, Pulvers, Thompson and Kutner, L.L.P.  
110 East 59th Street  
New York, New York 10022-1304

Anthony M. Benigno, Esq.

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

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IN THE MATTER :  
OF : ORDER  
RUSSELL MINTON, M.D. : BPMC # 00-231

-----X

Upon the proposed agreement of Russell Minton, 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 be effective upon issuance by the Board, which may be accomplished by mailing, by first class mail, a copy of this Order to Respondent at the address set forth in this agreement or to Respondent's attorney, or upon transmissions via facsimile to Respondent or Respondent's attorney, whichever is earliest.

DATED: 8/18/00



William P. Dillon, M.D.  
Chair  
State Board for Professional Medical Conduct

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

-----X

IN THE MATTER	: SURRENDER
OF	: APPLICATION
RUSSELL MINTON, M.D.	: BPMC #

-----X

RUSSELL MINTON , M.D., says:

On or about June 22, 1966, I was licensed to practice medicine as a physician in the State of New York having been issued License No. 096634 by the New York State Education Department. My address is 876 Moorehen Court, Heron's Landing, Vierra, Florida 32955.

I understand that I have been charged with one specification 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 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 admit guilt to the one specification set forth in the Statement of Charges.

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 agree 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 me at the address set forth above, or to my attorney, or upon transmission via facsimile to me or my attorney, whichever is earliest.

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

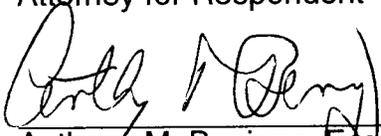
  
RUSSELL MINTON, M.D.  
Respondent

AGREED TO:

Date: 8/10, 2000

  
\_\_\_\_\_  
Charles E. Kutner, Esq.  
Attorney for Respondent

Date: 8/15, 2000

  
\_\_\_\_\_  
Anthony M. Benigno, Esq.  
Assistant Counsel  
Bureau of Professional  
Medical Conduct

Date: 8/16, 2000

  
\_\_\_\_\_  
ANNE F. SAILE  
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  
RUSSELL MINTON, M.D.**

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**STATEMENT  
OF  
CHARGES**

RUSSELL MINTON, M.D., the Respondent, was authorized to practice medicine in New York state on June 22, 1966, by the issuance of license number 096634 by the New York State Education Department. The Respondent is currently not registered with the New York State Education Department to practice medicine. His current address is 876 Moorehen Court, Heron's Landing, Vierra, Florida 32955.

**FACTUAL ALLEGATIONS**

A. Respondent entered into an agreement with the New York State Board for Professional Medical Conduct, effective Sept. 17, 1999, BPMC Order No. 99-234, attached hereto, as Exhibit 1. Among other things, Respondent agreed as a condition of the Order, within thirty (30) days, to maintain his registration with the New York State Education Department, Division of Professional Licensing Services, and pay all registration fees. Respondent has not maintained his registration with the NYS Education Department Division of Professional Licensing Services and currently is not registered to practice medicine in New York State.

**EXHIBIT A**

## SPECIFICATION OF MISCONDUCT

Respondent is charged with professional misconduct under N.Y. Education Law §6530(29) by reason of having violated a condition imposed upon him pursuant to Section 230 of the Public Health Law, in that Petitioner charges:

1. The facts in paragraph A.

DATED: *Aug. 15*, 2000  
Albany, New York

*Peter D. Van Buren*

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

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

IN THE MATTER  
OF  
RUSSELL MINTON; M.D.

CONSENT  
AGREEMENT WITH  
SURRENDER OF  
CLINICAL  
PRIVILEGES  
AND  
ORDER

BPMC #99-234

STATE OF FLORIDA        )  
                                  )        ss.:  
COUNTY OF                )

RUSSELL MINTON, M.D., being duly sworn, deposes and says:

That on or about June 22, 1966, I was licensed to practice as a physician in the State of New York, having been issued License No. 096634 by the New York State Education Department.

My current address is 876 Moorehen Court, Heron's Landing, Vierra, Florida 32955, and I will advise the Director of the Office of Professional Medical Conduct of any change of my address.

I understand that the New York State Board for Professional Medical Conduct has charged me with one specification of professional misconduct.

A copy of the Statement of Charges is annexed hereto, made a part hereof, and marked as Exhibit "A".

I do not contest the one specification to the extent that it refers to the facts alleged in Paragraphs A and A1 and C and C1 in full satisfaction of the charges against me. I hereby agree to the following penalty:

My license to practice medicine in the State of New York shall be limited pursuant to Public Health Law §230-a(3) to preclude all clinical practice and direct patient care, treatment or contact. I shall not diagnose, treat, operate or prescribe for any human disease, pain, injury, deformity or physical condition.

EXHIBIT 1

I further agree that the Consent Order for which I hereby apply shall impose the following conditions:

That, except during periods of actual suspension, Respondent shall maintain current registration of Respondent's license with the New York State Education Department Division of Professional Licensing Services, and pay all registration fees. This condition shall be in effect beginning thirty days after the effective date of the Consent Order and will continue while the licensee possesses his/her license; and

That Respondent shall fully cooperate in every respect with the Office of Professional Medical Conduct (OPMC) in its administration and enforcement of this Order and in its investigation of all matters regarding Respondent. Respondent shall respond in a timely manner to each and every request by OPMC to provide written periodic verification of Respondent's compliance with the terms of this Order. Respondent shall meet with a person designated by the Director of OPMC as directed. Respondent shall respond promptly and provide any and all documents and information within Respondent's control upon the direction of OPMC. This condition shall be in effect beginning upon the effective date of the Consent Order and will continue while the licensee possesses his/her license.

I hereby stipulate that any failure by me to comply with such conditions

shall constitute misconduct as defined by New York State Education Law §6530(29)(McKinney Supp 1999).

I agree that in the event I am charged with professional misconduct in the future, this agreement and order shall be admitted into evidence in that proceeding.

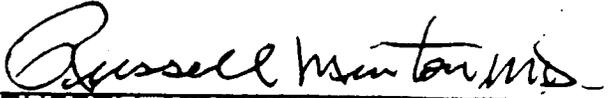
I hereby make this Application to the State Board for Professional Medical Conduct (the Board) and request that it be granted.

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 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 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 Consent Order to me at the address set forth in this agreement, or to my attorney, or upon transmission via facsimile to me or my attorney, whichever is earliest.

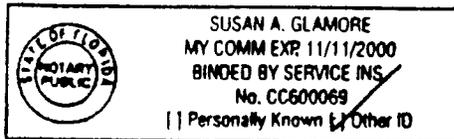
I am making this Application of my own free will and accord and not under duress, compulsion or restraint of any kind or manner. In consideration of the value to me of the acceptance by the Board of this Application, allowing me to resolve this matter without the various risks and burdens of a hearing on the merits, I knowingly waive any right I may have to contest the Consent Order for

which I hereby apply, whether administratively or judicially, and ask that the Application be granted.

  
RUSSELL MINTON, M.D.  
RESPONDENT

Sworn to before me this  
16<sup>th</sup> day of August, 1999

  
NOTARY PUBLIC



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

DATE: August 23, 1999

  
CHARLES E. KUTNER, ESQ.  
Attorney for Respondent

DATE: August 27, 1999

  
ROY NEMERSON  
Deputy Counsel  
Bureau of Professional  
Medical Conduct

DATE: September 2, 1999

  
ANNE F. SAILE  
Director  
Office of Professional  
Medical Conduct

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

IN THE MATTER  
OF  
RUSSELL MINTON; M.D.

CONSENT  
ORDER

Upon the proposed agreement of RUSSELL MINTON, M.D. (Respondent) for Consent Order, which application is made a part hereof, it is agreed to and ORDERED, that the application 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 Consent 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: 9/7/99



WILLIAM P. DILLON, M.D.  
Chair  
State Board for Professional  
Medical Conduct