



STATE OF NEW YORK
DEPARTMENT OF HEALTH

433 River Street, Suite 303

Troy, New York 12180-2299

Dennis P. Whalen
Executive Deputy Commissioner

November 12, 1998

Mr. Robert Bentley, Director
Division of Professional Licensing Services
New York State Education Department
Cultural Education Center
Empire State Plaza
Albany, NY 12230

RE: John M. Puskas, M.D.
NYS License No. 120273

Dear Mr. Bentley:

Enclosed is a copy of a Commissioner's Order and Notice of Hearing which summarily suspends Dr. John M. Puskas' right to practice medicine in the State of New York. This Order was issued on November 5, 1998, and is in effect until further notice.

Sincerely,

A handwritten signature in cursive script that reads "Anne Saile".

Anne F. Saile
Director
Office of Professional Medical Conduct

Enclosure

cc: Daniel Kelleher

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

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IN THE MATTER : COMMISSIONER'S
OF : SUMMARY
JOHN M. PUSKAS, M.D. : ORDER

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TO: JOHN M. PUSKAS, M.D.
193 Iron Mt. Blvd.
Lake Oswego, OR 97034

The undersigned, Barbara A. DeBuono, M.D., M.P.H.,
Commissioner of Health of the State of New York, pursuant to N.Y.
Public Health Law Sec. 230, upon the recommendation of a
Committee of Professional Medical Conduct, has determined that
the duly authorized professional disciplinary agency of another
jurisdiction has made a finding substantially equivalent to a
finding that the practice of medicine by JOHN M. PUSKAS, M.D.
(the Respondent) in that jurisdiction constitutes an imminent
danger to the health of its people, as is more fully set forth in
the attached Statement of Facts Supporting Summary Order of
Suspension, and the documents filed with the Oregon Board of
Medical Examiners(annexed as Exhibit A, and made a part hereof).

Accordingly, it is hereby

ORDERED, pursuant to N.Y. Public Health Law Sec. 230(12)(b),
that effective immediately, Respondent shall not practice
medicine in the State of New York. This Order shall remain in
effect unless modified or vacated by the Commissioner of Health
pursuant to N.Y. Public Health Law Sec. 230(12).

PLEASE TAKE NOTICE that a hearing will be held pursuant to
the provisions of N.Y. Public Health Law Sec. 230, and N.Y. State

Admin. Proc. Act Sects. 301-307 and 401. The hearing will be conducted before a committee on professional conduct of the State Board for Professional Medical Conduct and shall commence within thirty days after the proceedings commenced against Respondent in Oregon by Complaint and Notice of Proposed Disciplinary Action dated July 10, 1998 are finally concluded (N.Y. Public Health Law Sec. 230(12)(b)). The date and location of this hearing will be set forth in a written Notice of Summary Hearing and Statement of Charges to be provided to the Respondent at a later date. The written Notice and Statement of Charges may be provided in person, by mail, or by other means. If Respondent wishes to be provided with this written Notice at an address other than the one noted above, he shall notify both the attorney whose name is set forth in this Order and the Director of the Bureau of Adjudication, New York State Department of Health, Hedley Park Place, 5th Floor, 433 River Street, Troy, New York 12180, (518) 402-0748.

THESE PROCEEDINGS MAY RESULT IN A DETERMINATION THAT YOUR LICENSE TO PRACTICE MEDICINE IN NEW YORK BE REVOKED OR SUSPENDED, AND/OR THAT YOU BE FINED OR SUBJECT TO OTHER SANCTIONS SET FORTH IN NEW YORK PUBLIC HEALTH LAW SEC. 230-a. YOU ARE URGED TO OBTAIN AN ATTORNEY TO REPRESENT YOU IN THIS MATTER.

DATED: Albany, New York
October 30, 1998


BARBARA A. DeBUONO, M.D., M.P.H.
Commissioner of Health

Inquiries should be directed to:

MICHAEL J. McTIGHE
Senior Attorney
Bureau of Professional Medical Conduct
Corning Tower Building, Room 2585
Empire State Plaza
Albany, NY 12237-0032
(518) 474-5168

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

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IN THE MATTER : STATEMENT OF FACTS
 OF : SUPPORTING SUMMARY
 JOHN M. PUSKAS, M.D. : ORDER OF SUSPENSION

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JOHN M. PUSKAS, M.D., the Respondent, was licensed to practice medicine in New York State on or about June 19, 1974, by the New York State Education Department.

FACTUAL ALLEGATIONS

By Complaint and Notice of Proposed Disciplinary Action dated July 10, 1998, the Oregon Board of Medical Examiners commenced disciplinary proceedings against JOHN M. PUSKAS, M.D., (hereinafter "Respondent") based upon violations of Oregon's Medical Practices Act, specifically: (1) violation of ORS 677.190(1), unprofessional or dishonorable conduct as defined in ORS 677.188(4); and (2) violation of ORS 677.190(26), failure to report an adverse action.

The Complaint and Notice of Proposed Disciplinary Action alleges: (1) that on or about May 5, 1998, Respondent's hospital privileges were summarily suspended, and Respondent failed to report this adverse action to Oregon's Board of Medical Examiners; (2) over several months

prior to July 10, 1998, Respondent exhibited manic behavior including but not limited to (a) irritability, (b) undue suspicion, and (c) attention deficit in both conversation and task completion; that this behavior manifested itself in interactions with patients and hospital staff; that, for example, Respondent performed a surgery which lasted one to two hours longer than necessary due to Respondent's rambling and unrelated conversation with surgical staff; that Respondent was psychiatrically evaluated pursuant to Board order, and determined to be demonstrating manic behavior with impaired judgment.

Oregon's Board of Medical Examiners concluded that given Respondent's current mental status his continued practice of medicine constituted an imminent danger to the public. By Emergency Suspension Order dated July 2, 1998, the Oregon Board of Medical Examiners suspended Respondent's license to practice medicine in Oregon on an emergency basis based on its determination of imminent danger to the public.

Upon information and belief, the Respondent is represented by legal counsel, and has requested an administrative hearing appealing suspension of his license to practice medicine in Oregon, however the initial date set to commence the hearing of his appeal was cancelled at Respondent's request, and a new date to commence the hearing has not been scheduled.

DATED: Albany, New York
October 28, 1998


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



Oregon

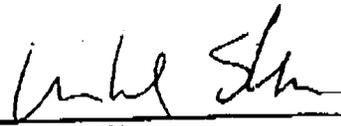
John A. Kitzhaber, M.D., Governor

Board of Medical Examiners

620 Crown Plaza
1500 SW First Avenue
Portland, OR 97201-5826
(503) 229-5770
FAX (503) 229-6543

CERTIFICATION

I, Michael Sherman, state that I am the Chief Investigator of the Oregon Board of Medical Examiners and, as such, am the Custodian of Records of the Investigative Unit of said Board of Medical Examiners. I hereby certify that the attached copies of Orders and/or various other legal documents regarding JOHN MICHAEL PUSKAS, M.D. #10653, are true copies of the originals on file in said Investigative Unit.



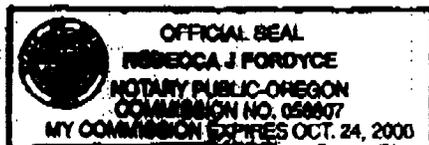
Michael Sherman

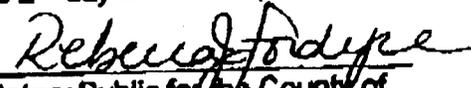
Date: October 2, 1998

(SEAL)



Subscribed and sworn to before me this 2nd day of October, 1998.





Notary Public for the County of
Multnomah, State of Oregon

(SEAL)

Exh. "A"

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BEFORE THE
BOARD OF MEDICAL EXAMINERS
STATE OF OREGON

In the Matter of)	
John M. Puskas)	EMERGENCY SUSPENSION
License No. MD10653)	ORDER
_____)	

1.

The Board of Medical Examiners (Board) is the state agency responsible for licensing, regulating and disciplining certain health care providers in the State of Oregon. John M. Puskas, MD (Licensee) is a licensed physician in the State of Oregon.

2.

On June 4 and 5, 1998 the Board received information indicating that Licensee was demonstrating unusual behavior. The Licensee's behavior was described as manic, out of character and inappropriate.

During subsequent interviews, it was learned that Licensee's privileges at Providence Newberg Hospital had been summarily suspended in early May of 1998 based on his manic and inappropriate behavior. The suspension was supported by incident reports from hospital staff as well as Licensee's refusal to undergo a psychiatric evaluation.

On June 11, 1998, the Board ordered Licensee to undergo a psychiatric competency examination. On June 17, 1998, an initial evaluation was conducted by James Eastman, MD. Based on Dr. Eastman's evaluation, there is evidence that Licensee is impaired and may have difficulty practicing

1 competently.

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Given Licensee's current mental status, Licensee's continued practice of
5 medicine constitutes an immediate danger to the public.

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The Board orders that pursuant to ORS 677.205(3), the license
8 of John M. Puskas, MD be suspended on an emergency basis and that
9 Licensee immediately cease the practice of medicine until otherwise
10 ordered by the Board.

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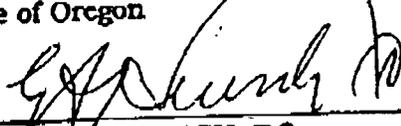
IT IS SO ORDERED this 2 day of July, 1998.

12

BOARD OF MEDICAL EXAMINERS
State of Oregon

13

14


EDWARD A. HEUSCH, DO
Chairman of the Board

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16 Licensee is entitled to a hearing as provided by the Administrative Procedures
17 Act (Chapter 183), Oregon Revised Statutes. Licensee may be represented
18 by counsel at the hearing. If Licensee desires a hearing, Licensee must request
19 a hearing in writing within ninety (90) days of the receipt of or mailing of this
20 Emergency Suspension Order to Licensee. Upon receipt of a request for a
21 hearing, the Board will notify Licensee of the time and place of the hearing.

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If Licensee requests a hearing, Licensee will be given information on the
22 procedures, right of representation, and other rights of parties relating to the
23 conduct of the hearing as required under ORS 183.413(2) before
24 commencement of the hearing.

21

22 Failure to request a hearing or failure to appear at any hearing scheduled
23 by the Board will result in this order becoming a Final Order of the Board,
24 by operation of law. In that case, Licensee's file with the Board automatically
25 becomes a part of the contested case record for the purpose of establishing
a *prima facie* case. ORS 183.415(6)

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BEFORE THE
BOARD OF MEDICAL EXAMINERS
STATE OF OREGON

In the Matter of)	C O M P L A I N T
)	and
JOHN M. PUSKAS, M.D.,)	NOTICE OF PROPOSED
LICENSE NO. MD10653.)	DISCIPLINARY ACTION
)	
<hr/>		
TO: JOHN M. PUSKAS, M.D.		

1.

The Board of Medical Examiners (Board) is the state agency responsible for licensing, regulating and disciplining certain health care providers, including physicians, in the State of Oregon. John M. Puskas, M.D. (Licensee) is a physician in the State of Oregon.

2.

The Board proposes to take disciplinary action pursuant to ORS 677.205 against Licensee for violations of the Medical Practices Act, to-wit: ORS 677.190(1), unprofessional or dishonorable conduct, as defined in ORS 677.188(4)(a); and ORS 677.190(26) failure to report an adverse action.

3.

The acts and conduct alleged to violate the Medical Practices are:

3.1 On or about May 5, 1998, Licensee's hospital privileges were summarily suspended. Licensee failed to report this adverse action to the Board.

///

1 3.2 Over the last several months, Licensee has exhibited
2 manic behavior including but not limited to: Irritability, undue
3 suspicion, and attention deficit in both conversation and task
4 completion. This behavior has manifested itself in interactions
5 with patients and hospital staff. For example, Licensee performed
6 a surgery which lasted one to two hours longer than necessary due
7 to his rambling and unrelated conversation with surgical staff.
8 Licensee was psychiatrically evaluated, pursuant to Board order,
9 and was determined to be demonstrating manic behavior with
10 impaired judgment.

11

4.

12 Licensee is entitled to a hearing as provided by the
13 Administrative Procedures Act (chapter 183), Oregon Revised
14 Statutes. Licensee may be represented by counsel at the hearing.
15 If Licensee desires a hearing, Licensee must request a hearing in
16 writing within twenty-one (21) days of the receipt of or mailing
17 of this Notice to Licensee. Upon receipt of a request for a
18 hearing, the Board will notify Licensee of the time and place of
19 the hearing.

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5.

21 If Licensee requests a hearing, Licensee will be given
22 information on the procedures, right of representation, and other
23 rights of parties relating to the conduct of the hearing as
24 required under ORS 183.413(2) before commencement of the hearing.

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Failure to request a hearing or failure to appear at any hearing scheduled by the Board will result in a default order by the Board, including the assessment of such penalty and costs as the Board deems appropriate under ORS 677.205. If a default order is issued, Licensee's file with the Board automatically becomes a part of the contested case record for the purpose of proving a prima facie case. ORS 183.415(6).

DATED this 10th day of July, 1998.

BOARD OF MEDICAL EXAMINERS
State of Oregon

Kathleen Haley
KATHLEEN HALEY, EXECUTIVE DIRECTOR

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Page 3 - COMPLAINT AND NOTICE OF PROPOSED DISCIPLINARY ACTION
(John M. Puskas, M.D.)

VERIFICATION

STATE OF OREGON)
 : 66
County of Multnomah)

I, KATHLEEN HALEY, being first duly sworn, state that I am the Executive Director of the Board of Medical Examiners of the State of Oregon, and as such, am authorized to verify pleadings in this case; and that the foregoing Complaint and Notice of Proposed Disciplinary Action is true to the best of my knowledge as I verily believe.

Kathleen Haley

KATHLEEN HALEY, EXECUTIVE DIRECTOR
OREGON BOARD OF MEDICAL EXAMINERS

SUBSCRIBED AND SWORN to before me this 10th
day of July, 19998.

Rebecca J. Fordyce

NOTARY PUBLIC FOR OREGON
My Commission Expires: 10/24/00

