



***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*

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*Executive Deputy Commissioner  
NYS Department of Health*

Dennis J. Graziano, Director  
*Office of Professional Medical Conduct*

**PUBLIC**

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

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

January 7, 2004

***CERTIFIED MAIL-RETURN RECEIPT REQUESTED***

Armand Grasso, M.D.  
727 Wellington Road  
Ridgewood, NJ 07450

Re: License No. 156101

Dear Dr. Grasso:

Enclosed please find Order #BPMC 04-03 of the New York State Board for Professional Medical Conduct. This order and any penalty provided therein goes into effect January 14, 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: Joseph M. Gorrell, Esq.  
Wolf, Block, Brach, Eichler  
101 Eisenhower Parkway  
Roseland, NJ 07068

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

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**IN THE MATTER**

**SURRENDER**

**OF**

**ORDER**

**ARMAND GRASSO, M.D.  
CO-02-10-5261-A**

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BPMC No. 04-03

**ARMAND GRASSO, M.D., says:**

On or about October 17, 1983, I was licensed to practice medicine as a physician in the State of New York having been issued License No. 156101 by the New York State Education Department. I currently reside at 727 Wellington Road, Ridgewood, NJ 07450.

I am not currently registered with the New York State Education Department to practice as a physician in the State of New York and I have never practiced as a physician in the State of New York.

I understand that the New York State Board for Professional Medical Conduct has charged me with two (2) specifications of professional misconduct, based solely upon an action taken by the State of New Jersey, Board of Medical Examiners, as set forth in the Statement of Charges, annexed hereto, made a part hereof, and marked as Exhibit "A."

Because I have never practiced as a physician in the State of New York and I do not intend to return to practice medicine in the State of New York, I am, therefore, 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 Factual Allegations A, B(2) and (8) and the two (2) specifications 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 Board grants my Application, as set forth herein, an order of the Chairperson of the Board shall be issued in accordance with same 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 first.

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

Date: 12/17, 2003

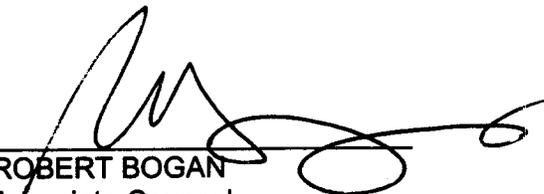
  
ARMAND GRASSO, M.D.  
Respondent

AGREED TO:

Date: December 18, 2003

  
\_\_\_\_\_  
JOSEPH M. GORRELL, ESQ.  
Attorney for Respondent

Date: 2 January, 2004

  
\_\_\_\_\_  
ROBERT BOGAN  
Associate Counsel  
Bureau of Professional Medical Conduct

Date: 5 January, 2004

  
\_\_\_\_\_  
DENNIS J. GRAZIANO  
Director, Office of Professional  
Medical Conduct

**ORDER**

Upon the proposed agreement of **ARMAND GRASSO, 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 the 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 to Respondent at the addresses set forth in this agreement or to Respondent's attorney or upon transmission via facsimile to Respondent or Respondent's attorney, whichever is earliest.

DATED: 1/7, 2004

  
MICHAEL A. GONZALEZ, R.P.A.  
Vice 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  
OF  
ARMAND GRASSO, M.D.  
CO-02-10-5261-A

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STATEMENT  
OF  
CHARGES

**ARMAND GRASSO, M.D.**, the Respondent, was authorized to practice medicine in New York state on October 17, 1983, by the issuance of license number 156101 by the New York State Education Department.

**FACTUAL ALLEGATIONS**

A. On or about July 8, 2002, the State of New Jersey, Department of Law & Public Safety, Division of Consumer Affairs, Board of Medical Examiners, (hereinafter "New Jersey Board"), by a Final Decision and Order, (hereinafter "New Jersey Order"), suspended Respondent's license to practice medicine for three (3) years, the first year to be an active suspension, the last two (2) years to be served as probation; prior to his resumption of active practice of medicine, he is to successfully complete an ethics course; and to pay \$20,779.11 costs of prosecution and a \$65,000.00 penalty, based on gross negligence and gross malpractice, repeated acts of negligence and repeated acts of malpractice, failure to maintain accurate and complete medical records, dishonesty, deception, and misrepresentation, including making false statements under oath before a committee of the New Jersey Board.

B. The conduct resulting in the New Jersey Board's disciplinary action against Respondent would constitute misconduct under the laws of New York state, pursuant to the following sections of New York state law:

1. New York Education Law §6530(2) (practicing the profession fraudulently);
2. New York Education Law §6530(3) (negligence on more than one occasion);
3. New York Education Law §6530(4) (gross negligence);

4. New York Education Law §6530(5) (incompetence on more than one occasion);
5. New York Education Law §6530(6) (gross incompetence);
6. New York Education Law §6530(20) (moral unfitness);
7. New York Education Law §6530(30) (abandoning or neglecting a patient under and in need of immediate professional care without making reasonable arrangements for the continuation of such care); and/or
8. New York Education Law §6530(32) (failure to maintain a record for each patient which accurately reflects the evaluation and treatment of the patient).

### **SPECIFICATIONS**

#### **FIRST SPECIFICATION**

Respondent violated New York Education Law §6530(9)(b) by having been found guilty of improper professional practice or 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.

#### **SECOND SPECIFICATION**

Respondent violated New York Education Law §6530(d) by having his license to practice medicine suspended or having other disciplinary action taken by a duly authorized professional disciplinary agency of another state, where the conduct resulting in the suspension or other disciplinary action would, if committed in New York state, constitute professional misconduct under the laws of New York state, in that Petitioner charges:

2. The facts in Paragraphs A and/or B.

DATED: *December 3*, 2003  
Albany, New York

*Peter D. Van Buren*  
PETER D. VAN BUREN  
Deputy Counsel  
Bureau of Professional Medical Conduct