



Board for Professional Medical Conduct

Corning Tower • Empire State Plaza • Albany, NY 12237 • (518) 474-8357

Mark R. Chassin, M.D., M.P.P., M.P.H.
Commissioner

C. Maynard Guest, M.D.
Executive Secretary

December 27, 1994

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

Jeffrey Fleigel, M.D.
1400 South Magnolia Extension
Ocala, FL 34471

RE: License No. 122363
Effective Date: 1/3/95

Dear Dr. Fleigel:

Enclosed please find Order #BPMC 94-276 of the New York State Board for Professional Medical Conduct. This Order and any penalty provided therein goes into effect upon receipt of this letter or seven (7) days after the date of this letter, whichever is earlier.

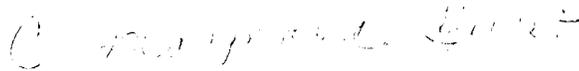
If the penalty imposed by the Order is a surrender, revocation or suspension of this license, you are required to deliver to the Board the license and registration within five (5) days of receipt of the Order.

Board for Professional Medical Conduct
New York State Department of Health
Empire State Plaza
Tower Building-Room 438
Albany, New York 12237-0756

If the penalty imposed by the Order is a fine, please write the check payable to the New York State Department of Health. Noting the BPMC Order number on your remittance will assist in proper crediting. Payments should be directed to the following address:

Bureau of Accounts Management
New York State Department of Health
Empire State Plaza
Tower Building-Room 1245
Albany, New York 12237

Sincerely,



C. Maynard Guest, M.D.
Executive Secretary
Board for Professional Medical Conduct

Enclosure

cc: Andrew B. Roth, Esq.
McDermott, Will & Emery
1211 Avenue of the Americas
New York, New York 10036-8701

Kevin Donovan, Esq.

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

-----X

IN THE MATTER :
OF : ORDER
JEFREY FLEIGEL, M.D. : BPMC #94-276

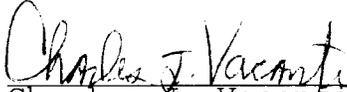
-----X

Upon the application of JEFFREY FLEIGEL, M.D. (Respondent) for Consent Order, which application is made a part hereof, it is ORDERED, that the application and the provisions thereof are hereby adopted and so ORDERED, and 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 by certified mail, whichever is earliest.

SO ORDERED,

DATED: 22 December 1994



Charles J. Vacanti, M.D.
Chairperson
State Board for Professional
Medical Conduct

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

-----X

IN THE MATTER : APPLICATION
OF : FOR
JEFFREY FLEIGEL, M.D. : CONSENT

: ORDER

-----X

STATE OF FLORIDA)
COUNTY OF MARION) ss.:

JEFFREY FLEIGEL, M.D., being duly sworn, deposes and says:
That on or about November 7, 1974, I was licensed to
practice as a physician in the State of New York, having been
issued License No. 122363 by the New York State Education
Department.

I am currently registered with the New York State Education
Department to practice as a physician in the State of New York
for the period January 1, 1993 through December 31, 1994.

I understand that the New York State Board for Professional
Medical Conduct has charged me with Two Specifications 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 First Specification in full
satisfaction of all of the charges against me.

I hereby agree to the penalty of a censure and reprimand and
payment of a fine of \$5,000.00 (Five Thousand Dollars).

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.

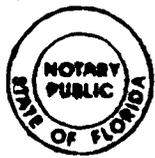
I am making this Application of my own free will and accord and not under duress, compulsion or restraint of any kind or manner.

Jeffrey Fleigel
JEFFREY FLEIGEL, M.D.
RESPONDENT

Sworn to before me this 9th
day of December, 1994.

William J. Kreppel
NOTARY PUBLIC

My Comm Exp 4/20/96



WILLIAM J. KREPPEL
MY COMM EXP 4/20 '96
BONDED BY SERVICE NO. 115
NO. CC19501J

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

-----X

IN THE MATTER : APPLICATION
OF : FOR
JEFFREY FLEIGEL, M.D. : CONSENT

-----X
: ORDER

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

DATE: 12-9-94


JEFFREY FLEIGEL, M.D.
Respondent

DATE: 12-15-94

 for McDermott,
Will and Emery
ANDREW ROTH, ESQ.
Attorney for Respondent

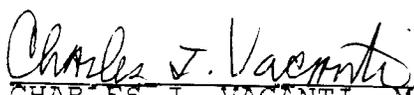
DATE: 12/16/94


KEVIN P. DONOVAN
ASSOCIATE COUNSEL
Bureau of Professional
Medical Conduct

DATE: Dec. 16, 1994


KATHLEEN M. TANNER
DIRECTOR
Office of Professional Medical
Conduct

DATE: 22 December 1994


CHARLES J. VACANTI, M.D.
CHAIRPERSON
State Board for Professional
Medical Conduct

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

-----X

IN THE MATTER : STATEMENT
 OF : OF
 JEFFREY FLEIGEL, M.D. : CHARGES

-----X

JEFFREY FLEIGEL, M.D., the Respondent, was authorized to practice medicine in New York State on November 7, 1974, by the issuance of license number 122363 by the New York State Education Department. The Respondent is registered with the New York State Education Department to practice medicine in New York State for the period January 1, 1993 through December 31, 1994, with a registration address of 1400 SE Magnolia Extension, Ocala, Florida 32671.

FACTUAL ALLEGATIONS

A. By final order dated June 11, 1993, the Board of Medicine of the State of Florida took disciplinary action against Respondent's license to practice medicine, namely Respondent was reprimanded, fined \$5,000, and was required to present a lecture to medical students; the conduct on which the disciplinary action was based was inadequate record keeping.

B. The conduct on which the disciplinary action in Florida was based would, if committed in New York State, constitute professional misconduct under laws of New York State, namely

failure to maintain a record for the patient which accurately reflects the evaluation and treatment of each patient within the meaning of New York Educ. Law §6530(32) (McKinney Supp. 1994).

C. On or about March 24, 1993, Respondent fraudulently answered "no" to the following question on his New York State Education Department re-registration application for the period January 1, 1993, through December 31, 1994: "Since you last registered has any state other than New York instituted charges against you for professional misconduct, unprofessional conduct, incompetence or negligence or revoked suspended or accepted surrender of a professional license held by you?", when Respondent had been served with charges of professional misconduct by the Florida Board of Medicine since he last registered.

SPECIFICATIONS OF MISCONDUCT

FIRST SPECIFICATION

DISCIPLINARY ACTION BY ANOTHER STATE

Respondent is charged with professional misconduct within the meaning of New York Educ. Law §6530(9)(d) (McKinney Supp. 1994) in that he had disciplinary action taken against his license by a duly authorized professional disciplinary agency of another state, where the conduct resulting in the disciplinary action would, if committed in New York State, constitute professional misconduct under the laws of New York State, in that Respondent charges:

1. The facts of paragraphs A and B.

SECOND SPECIFICATION

FRAUD IN THE PRACTICE OF MEDICINE

Respondent is charged with the professional misconduct of practicing the profession fraudulently within the meaning of New York Educ. Law §6530(2) (McKinney Supp. 1994), in that Petitioner charges:

2. The facts of paragraph C.

DATED: *November 1*, 1994
Albany, New York

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