



***New York State Board for Professional Medical Conduct***

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

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NYS Department of Health*

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

June 28, 2006

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

David Mark Schachter, M.D.  
21 Old Bridge Rd  
Truro, MA 02666

Re: License No. 114396

Dear Dr. Schachter:

Enclosed is a copy of Order #BPMC 06-143 of the New York State Board for Professional Medical Conduct. This order and any penalty provided therein goes into effect July 5, 2006.

**If the penalty imposed by this Order is a surrender, revocation or suspension, you are required to deliver your license and registration within five (5) days of receipt of this Order.** If the document(s) are lost, misplaced or destroyed, you are required to submit to this office an affidavit to that effect. Enclosed for your convenience is an affidavit. Please complete and sign the affidavit before a notary public and return it to: **Office of Professional Medical Conduct, New York State Department of Health, 433 River Street, Suite 303, Troy, NY 12180-2299**

Sincerely,

Ansel R. Marks, M.D., J.D.  
Executive Secretary  
Board for Professional Medical Conduct

Enclosure

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

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**IN THE MATTER**

**SURRENDER**

**OF**

**ORDER**

**DAVID MARK SCHACHTER, M.D.  
CO-05-12-6609-A**

BPMC No. #06-143

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**DAVID MARK SCHACHTER, M.D., says:**

On or about October 31, 1972, I was licensed to practice medicine as a physician in the State of New York having been issued License No. 114396 by the New York State Education Department. I currently reside at 21 Old Bridge Rd., Truro, MA 02666.

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 the New York State Board for Professional Medical Conduct has charged me with one (1) 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, hereby, agree not to contest the one (1) 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 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.

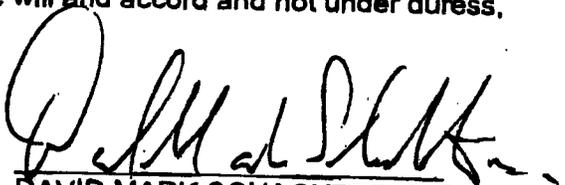
I am making this agreement of my own free will and accord and not under duress, compulsion or restraint of any kind of manner.

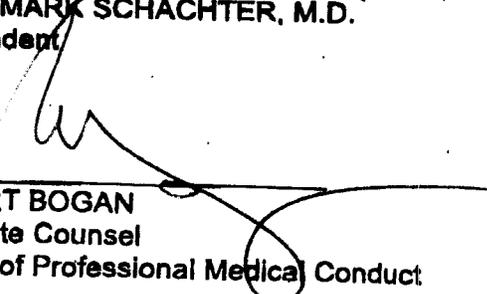
Date: June 22, 2006

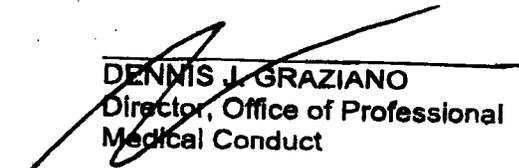
AGREED TO:

Date: 22 June, 2006

Date: 26 June, 2006

  
DAVID MARK SCHACHTER, M.D.  
Respondent

  
ROBERT BOGAN  
Associate Counsel  
Bureau of Professional Medical Conduct

  
DENNIS J. GRAZIANO  
Director, Office of Professional  
Medical Conduct

IN THE MATTER  
OF  
DAVID MARK SCHACHTER, M.D.  
CO-05-12-6609-A

STATEMENT  
OF  
CHARGES

DAVID MARK SCHACHTER, Respondent, was authorized to practice medicine in New York state on October 31, 1972, by the issuance of license number 114396 by the New York State Education Department.

**FACTUAL ALLEGATIONS**

A. On or about October 16, 2005, the Commonwealth of Massachusetts, Board of Registration in Medicine (hereinafter "Massachusetts Board"), by an Order (hereinafter "Massachusetts Order"), accepted the resignation of Respondent's license to practice medicine, based on ordering and receiving controlled substances by mail.

B. The conduct resulting in the Massachusetts Board 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(16) (a willful or grossly negligent failure to comply with substantial provisions of federal, state, or local laws, rules or regulations governing the practice of medicine).

**SPECIFICATION**

Respondent violated New York State Education Law §6530(9)(d) by having surrendered his license to practice medicine after a disciplinary action was instituted by a duly authorized professional disciplinary agency of another state, where the conduct resulting in the surrender of the license 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.

DATED: *May 2*, 2006  
Albany, New York

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

**ORDER**

Upon the proposed agreement of **DAVID MARK SCHACHTER, 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: 6-28-, 2006



KENDRICK A. SEARS, M.D.  
Chair  
State Board for Professional  
Medical Conduct