



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*

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Office of Professional Medical Conduct

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Vice Chair

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

October 7, 2002

CERTIFIED MAIL-RETURN RECEIPT REQUESTED

Alfred Muller, M.D.
4601 N. Park Avenue #411
Chevy Chase, MD 20815

RE: License No. 101100

Dear Dr. Muller:

Enclosed please find Order #BPMC 02-313 of the New York State Board for Professional Medical Conduct. This Order and any penalty provided therein goes into effect October 7, 2002.

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

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

IN THE MATTER
OF
ALFRED MULLER, M.D.
CO-02-09-4486-A

SURRENDER

ORDER

BPMC No. 02-313

ALFRED MULLER, M.D., says:

On or about May 6, 1968, I was licensed to practice medicine as a physician in the State of New York having been issued License No. 101100 by the New York State Education Department. I currently reside at 4601 N. Park Avenue, #411, Chevy Chase, MD 20815.

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 three (3) specifications 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 three (3) 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 or manner.

Date: September 22, 2002


ALFRED MULLER, M.D.
Respondent

AGREED TO:

Date: 26th Sept, 2002


ROBERT BOGAN
Associate Counsel
Bureau of Professional Medical
Conduct

Date: 30 September, 2002


DENNIS J. GRAZIANO
Director, Office of Professional
Medical Conduct

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

IN THE MATTER
OF
ALFRED MULLER, M.D.
CO-02-09-4486-A

STATEMENT
OF
CHARGES

ALFRED MULLER, M.D., the Respondent, was authorized to practice medicine in New York state on May 6, 1968, by the issuance of license number 101100 by the New York State Education Department.

FACTUAL ALLEGATIONS

A. On or about March 23, 2001, in the Superior Court of the District of Columbia, Criminal Division, the Respondent was found guilty, based on a plea guilty, of one (1) count of misdemeanor sexual abuse in violation of 22 DC Code Section 4106 and on or about May 11, 2001, was sentenced to ninety (90) days incarceration, three (3) years supervised probation with the conditions that he continue psychological/psychiatric treatment, reimburse the Crime Victims Fund for counseling expenses for the child, and have no unsupervised contact with any child under the age of fourteen years of age, and to register as a "Class B" sex offender in the State of Maryland.

B. On or about February 27, 2002, the Board of Physician Quality Assurance of Maryland (hereinafter "Maryland Board"), by a Final Order (hereinafter "Maryland Order"), REVOKED Respondent's license to practice medicine, based on the criminal conviction described in paragraph A above.

C. The conduct resulting in the Maryland Board disciplinary actions against Respondent would constitute misconduct under the laws of New York State, pursuant to the following sections of New State law:

1. New York Education Law §6530(9)(a)(ii) (being convicted of committing an act constituting a crime under federal law); and/or
2. New York Education Law §6530(20) (moral unfitness).

SPECIFICATIONS

FIRST SPECIFICATION

Respondent violated New York Education Law §6530(9)(a)(ii) by being convicted of committing an act constituting a crime under federal law, in that Petitioner charges:

1. The facts in Paragraph A.

SECOND 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:

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

THIRD SPECIFICATION

Respondent violated New York Education Law §6530(9)(d) by having his license to practice medicine revoked or having other disciplinary action taken by a duly authorized professional disciplinary agency of another state, where the conduct resulting in the license revocation 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:

3. The facts in Paragraphs A, B and/or C.

DATED: *Sept. 16*, 2002
Albany, New York


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

ORDER

Upon the proposed agreement of **ALFRED MULLER, 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: 10/3, 2002



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