

THE STATE EDUCATION DEPARTMENT / THE UNIVERSITY OF THE STATE OF NEW YORK / ALBANY, N.Y. 12234

OFFICE OF PROFESSIONAL DISCIPLINE
ONE PARK AVENUE, NEW YORK, NEW YORK 10016-5802

December 7, 1990

Dominick C. Adornato, Physician
753 James Street - Suite 202
Syracuse, N.Y. 13203

Re: License No. 111105

Dear Dr. Adornato:

Enclosed please find Commissioner's Order No. 11415. This Order and any penalty contained therein goes into effect five (5) days after the date of this letter.

If the penalty imposed by the Order is a surrender, revocation or suspension of your license, you must deliver your license and registration to this Department within ten (10) days after the date of this letter. In such a case your penalty goes into effect five (5) days after the date of this letter even if you fail to meet the time requirement of delivering your license and registration to this Department.

Very truly yours,

DANIEL J. KELLEHER
Director of Investigations
By:

GUSTAVE MARTINE
Supervisor

RECEIVED

DEC 11 1990

Office of Professional
Medical Conduct

DJK/GM/er
Enclosures

CERTIFIED MAIL- RRR

cc: Emil Rossi, Esq.
Loew's Landmark Building, St. 500
108 W. Jefferson Street
Syracuse, N.Y. 13202

I admit guilt to the Fifth, Sixth, Seventh and Eighth Specifications in full satisfaction of all the charges.

I hereby agree to the penalty that my license to practice as a physician in the State of New York be suspended for a period of three years, that execution of the suspension be stayed, and that I be placed on probation for a period of three years under the terms set forth in the exhibit annexed hereto and marked as Exhibit "B". I shall perform 100 hours of public service during the three year probationary period as set forth in said terms of probation.

I hereby make this application to the Board of Regents and request that it be granted.

I understand that, in the event that this application is not granted by the Board of Regents, 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 of Regents shall be made without prejudice to the continuance of any disciplinary proceeding and the final determination by the Board of Regents pursuant to the provisions of the Education Law.

Dominick C. Adornato
DOMINICK C. ADORNATO, M.D.
Respondent

Sworn to before me this
5th day of March, 19 90

Emil Marig Rossi
NOTARY PUBLIC

EMIL MARIQ ROSSI
Notary Public in the State of New York
Office: 100 Grand St., No. 4312286
My Commission Expires ~~March 30, 1994~~
12/31

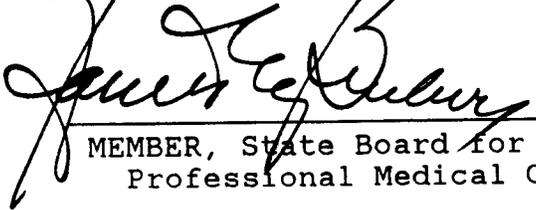
STATE OF NEW YORK : DEPARTMENT OF HEALTH
STATE BOARD FOR PROFESSIONAL MEDICAL CONDUCT

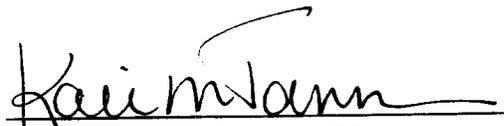
IN THE MATTER : APPLICATION
OF : FOR
DOMINICK C. ADORNATO, M.D. : CONSENT
: ORDER

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

Date: March 5, 1990 
DOMINICK C. ADORNATO, M.D.
Respondent

Date: March 5, 1990 
EMIL M. ROSSI, ESQ.
Attorney for Respondent

Date: Aug 23 1990 
MEMBER, State Board for
Professional Medical Conduct

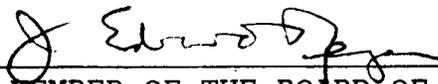
Date: August 21, 1990 
KATHLEEN M. TANNER
Director, Office of Professional
Medical Conduct

DOMINICK C. ADORNATO, M.D.

The undersigned has reviewed and agrees to the attached application for consent order.

Date: July 26, 1970 
DAVID AXELROD, M.D.
Commissioner of Health

The undersigned, a member of the Board of Regents who has been designated by the Chairman of the Regents Committee on Professional Discipline to review this Application for a Consent Order, has reviewed said application and recommends to the Board of Regents that the application be granted.

Date: Oct 24, 1970 
MEMBER OF THE BOARD OF REGENTS

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

-----X

IN THE MATTER : STATEMENT
OF : OF
DOMINICK ADORNATO, M.D. : CHARGES

-----X

Dominick Adornato, M.D., the Respondent herein, was authorized to practice medicine in the State of New York on December 5, 1972 by the issuance of License Number 111105 by the State Education Department. The Respondent is currently registered with the New York State Education Department to practice medicine for the period January 1, 1986 through December 31, 1988 from Suite 202, 753 James Street, Syracuse, New York.

FACTUAL ALLEGATIONS

A. Patient A (Identified in Appendix) was admitted to St. Joseph's Hospital Health Center on June 27, 1981. During the course of this patient's treatment, the Respondent made entries onto the patient's chart.

1. The Respondent altered the physician's order sheet dated July 5, 1981 by subsequently adding the following words: "Wound C & S - then start oxicillin 500 gm. q. 4 hrs."

EXHIBIT A

2. The Respondent altered the physician's notation for June 29, 1981 by subsequently adding the following words: "Patient and wife told with respect to the possibility of infection, numbness and weakness"
3. The Respondent altered the physician's notes of July 29, 1981 by subsequently adding the following words: "See me in one month, call me sooner if any problem with wound, fever, etc."

B. Patient B - (Identified in Appendix) was a patient of the Respondent during 1978. The Respondent subsequently erased part of his reevaluation notes dated April 27, 1978 for Patient B and added the following words:

"ADDENDUM: I also stressed the importance for this patient to be seen by Dr. Iqbal because of the EKG."

SPECIFICATION OF CHARGES

FIRST THROUGH FOURTH SPECIFICATIONS

PRACTICING THE PROFESSION FRAUDULENTLY

Respondent is charged with committing professional misconduct under N.Y. Educ. Law §6509(2) (McKinney 1985) by practicing the profession fraudulently in that Petitioner charges:

1. The facts in Paragraph A and A1.

2. The facts in Paragraph A and A2.
3. The facts in Paragraph A and A3.
4. The facts in Paragraph B.

FIFTH THROUGH EIGHTH SPECIFICATIONS

FAILURE TO MAINTAIN ACCURATE RECORDS

The Respondent is charged with committing unprofessional conduct under N.Y. Educ. Law §6509(9) (McKinney 1985) by his conduct which violated 8 NYCRR §29.2(a)(3) (1987) failing to maintain a record for each patient which accurately reflects the evaluation and treatment of that patient in that Petitioner charges:

5. The facts in Paragraph A and A1.
6. The facts in Paragraph A and A2.
7. The facts in Paragraph A and A3.
8. The facts in Paragraph B.

DATED: Albany, New York

PETER D. VAN BUREN
Deputy Counsel

EXHIBIT B

TERMS OF PROBATION

DOMINICK C. ADORNATO, M.D.

1. Dr. Adornato shall conduct himself in all ways in a manner befitting his professional status, and shall conform fully to the moral and professional standards of conduct imposed by law and by his profession.
2. Dr. Adornato shall comply with all federal, state and local laws, rules and regulations governing the practice of medicine in New York State.
3. Dr. Adornato shall submit prompt written notification to the Board addressed to the Director, Office of Professional Medical Conduct, Empire State Plaza, Corning Tower Building, Room 438, Albany, New York 12237 of his current employment, practice, residence and telephone number, and of any change in his employment, practice, residence or telephone number within or without New York State.
4. In the event that Dr. Adornato leaves New York to reside or practice outside the State, Dr. Adornato shall notify the Director of the Office of Professional Medical Conduct in writing at the address indicated above, by registered or certified mail, return receipt requested, of the dates of his departure and return. Periods of residency or practice outside New York shall toll the probationary period, which shall be extended by the length of residency or practice outside New York.
5. Dr. Adornato shall have quarterly meetings with an employee of the Office of Professional Medical Conduct or a member of the State Board for Professional Medical Conduct during the period of probation.
6. Dr. Adornato shall maintain legible medical records which accurately reflect his evaluation and treatment of his patients. In addition to any other relevant medical information, these records shall contain: a comprehensive history; physical examination as indicated; the patient's chief complaint or present illness; the diagnosis and treatment with data or findings which support the diagnosis and treatment.
7. Dr. Adornato shall have quarterly meetings with a monitoring physician who shall review Dr. Adornato's medical practice. This monitoring physician shall randomly review selected office records, patient records, and hospital charts. This monitoring physician shall be selected by Dr. Adornato and is subject to the approval of the Director of the Office of Professional Medical Conduct. The monitoring physician shall submit quarterly reports to the Director of the Office of

Professional Medical Conduct. The expense, if any, of said monitoring shall be borne by Respondent.

8. Dr. Adornato shall perform a total of 100 hours of public service during the three year probationary period. Said public service, which must be performed in a medical clinic in Syracuse, shall be selected by Dr. Adornato and previously approved, in writing, by the Director of the Office of Professional Medical Conduct or her designee. Dr. Adornato shall submit satisfactory proof of completion of said public service within 30 days of the expiration of the third year of probation to the Director of the Office of Professional Medical Conduct, Room 438, Corning Tower Building, Empire State Plaza, Albany, New York 12237.
9. Dr. Adornato shall submit quarterly declarations, under penalty of perjury, stating whether or not there has been compliance with all terms of probation and, if not, the specifics of non-compliance. These declarations should be sent to the Director of the Office of Professional Medical Conduct at the address indicated above.
10. Dr. Adornato shall submit written proof to the Director of the Office of Professional Medical Conduct at the address indicated above that he has paid all registration fees due and is currently registered to practice medicine with the New York State Education Department. If Dr. Adornato elects not to practice medicine in New York State, then he shall submit written proof that he has notified the New York State Education Department of that fact.
11. If there is full compliance with every term set forth herein, Dr. Adornato may practice as a physician in New York in accordance with the terms of probation; provided, however, that upon receipt of evidence of non-compliance or any other violation of the terms of probation, a violation of probation proceeding and/or such other proceedings as may be warranted, may be initiated against Dr. Adornato pursuant to N.Y. Public Health Law §230(19) or any other applicable laws.

**ORDER OF THE COMMISSIONER OF
EDUCATION OF THE STATE OF NEW YORK**

DOMINICK C. ADORNATO

CALENDAR NO. 11415



The University of the State of New York

IN THE MATTER

OF

DOMINICK C. ADORNATO
(Physician)

DUPLICATE
ORIGINAL
VOTE AND ORDER
NO. 11415

Upon the application of DOMINICK C. ADORNATO, under Calendar No. 11415, which application is made a part hereof, and in accordance with the provisions of Title VIII of the Education Law, it was

VOTED* (November 16, 1990): That the application of DOMINICK C. ADORNATO, respondent, for a consent order be granted; and that the Commissioner of Education be empowered to execute, for and on behalf of the Board of Regents, all orders necessary to carry out the provisions of this vote;

and it is

ORDERED: That, pursuant to the above vote of the Board of Regents, said vote and the provisions thereof as well as 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 the respondent or five days after mailing by certified mail.

*Regent Emlyn I. Griffith abstained

DOMINICK C. ADORNATO (11415)

IN WITNESS WHEREOF, I, Thomas Sobol,
Commissioner of Education of the State of
New York, for and on behalf of the State
Education Department and the Board of
Regents, do hereunto set my hand and affix
the seal of the State Education Department,
at the City of Albany, this 25th day of
November, 1990.
Thomas Sobol
Commissioner of Education