



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

September 12, 1994

CERTIFIED MAIL-RETURN RECEIPT REQUESTED

Paul Kornblith, M.D.
Presbyterian University Hospital
Pittsburgh, PA 15213

RE: License No. 166021
Effective Date: 9/19/94

Dear Dr. Kornblith:

Enclosed please find Order #BPMC 94-182 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

Sincerely,

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

Enclosure

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

-----X

IN THE MATTER :
OF : ORDER
PAUL L. KORNBLITH, M.D. : BPMC #94-182

-----X

Upon the application of Paul L. Kornblith, 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: 3 September 1994

Charles J. Vacanti
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
PAUL L. KORNB�LITH, M.D. : CONSENT
: ORDER
-----X

STATE OF PENNSYLVANIA)
COUNTY OF *Allegheny*) ss.:

PAUL L. KORNB�LITH, M.D., being duly sworn, deposes and says:

That on or about April 23, 1986 I was licensed to practice as a physician in the State of New York, having been issued License No. 166021 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 one Specification of professional misconduct.

A copy of the Statement of Charges is annexed hereto, made a part hereof, and marked as Exhibit "A".

I neither admit nor deny the allegations of misconduct specified in the Statement of Charges.

I hereby agree to the penalty that my license to practice medicine be suspended for a period of six months, and said suspension be entirely stayed, and that I be placed on probation for a period of six months subject to the terms enumerated in Exhibit "B", annexed hereto and made a part hereof.

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.

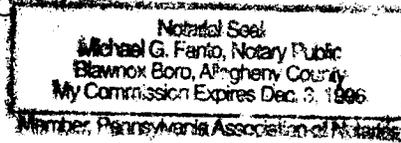
Paul L. Kornblith

PAUL L. KORNB�LITH, M.D.
RESPONDENT

Sworn to before me this
24 day of August, 1994.

Michael G. Fario

NOTARY PUBLIC



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

-----X
IN THE MATTER : APPLICATION
OF : FOR
PAUL L. KORNBLITH, M.D. : CONSENT
: ORDER
-----X

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

Date: Aug 24, 1994

Paul L. Kornblith
PAUL L. KORNBLITH, M.D.
RESPONDENT

Date: Aug 22, 1994

Joseph E. Casson
JOSEPH CASSON, ESQ.
ATTORNEY FOR RESPONDENT

Date: August 31, 1994

Irene Koch
IRENE KOCH
ASSISTANT COUNSEL
BUREAU OF PROFESSIONAL
MEDICAL CONDUCT

Date: September 9, 1994 Joan Sauer

Joan
KATHLEEN M. TANNER
DIRECTOR
OFFICE OF PROFESSIONAL
MEDICAL CONDUCT

Date: 3 September 1994 Charles J. Vacanti

CHARLES J. VACANTI, M.D.
CHAIRPERSON
STATE BOARD FOR
PROFESSIONAL MEDICAL CONDUCT

EXHIBIT A

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

-----X
IN THE MATTER : STATEMENT
OF : OF
PAUL L. KORNB�ITH, M.D. : CHARGES
-----X

PAUL L. KORNB�ITH, M.D., the Respondent, was authorized to practice medicine in New York State on April 23, 1986 by the issuance of license number 166021 by the New York State Education Department. The Respondent is currently registered with the New York State Education Department to practice medicine for the period January 1, 1993 through December 31, 1994.

FACTUAL ALLEGATIONS

- A. Beginning in or about October, 1987, investigations and inquiries were conducted by the Food and Drug Administration, the Department of Health and Human Services, and Montefiore Medical Center seeking, inter alia, to identify the source of supply of quantities of Interleukin-2 ("IL-2") utilized by certain members of the Montefiore Medical Center Department

of Neurosurgery. Despite Respondent's knowledge, prior to October 6, 1987, that the Department of Oncology had, at Respondent's request and with the consent of the Chairman of the Department of Oncology, been the source of the IL-2, he intentionally failed to disclose this knowledge and intentionally, falsely reported that the IL-2 had been supplied without his knowledge and consent. Said intentional failure to disclose and false reporting occurred on occasions including but not limited to:

- 1) communications with investigators from the Department of Health and Human Services in or about September, 1988, and
- 2) in response to an internal inquiry by Montefiore Medical Center during 1988 and 1989.

SPECIFICATION OF CHARGES

FAILING A FALSE REPORT

Respondent is charged with committing professional misconduct in that he has willfully filed a false report within the meaning of N.Y. Educ. Law Section 6530 (21) (McKinney Supp. 1994), as Petitioner alleges in:

1. The facts in paragraphs A, A(1), and A(2).

DATED: New York, New York

CHRIS STERN HYMAN
Counsel
Bureau of Professional Medical
Conduct

EXHIBIT "B"

TERMS OF PROBATION

1. PAUL L. KORNBLITH, M.D., during the period of probation, 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. That Respondent shall submit written notification to the New York State Department of Health (NYSDOH), addressed to the Director, Office of Professional Medical Conduct, New York State Health Department, Corning Tower Building, 4th Floor, Empire State Plaza Albany, New York 12237 of any employment and practice, of Respondent's residence and telephone number, of any change in Respondent's employment, practice, residence, or telephone number within or without the State of New York;
3. Respondent shall submit written proof from the Division of Professional Licensing Services (DPLS), New York State Education Department (NYSED), that Respondent has paid all registration fees due and owing to the NYSED and Respondent shall cooperate with and submit whatever papers are requested by DPLS in regard to said registration fees, said proof from DPLS to be submitted by Respondent to the New York State Department of Health, addressed to the Director, Office of Professional Medical Conduct, as aforesaid, no later than the first three months of the period of probation;
4. Respondent shall submit written proof to the NYSDOH, addressed to the Director, Office of Professional Medical Conduct, as aforesaid, that 1) Respondent is currently registered with the NYSED, unless Respondent submits written proof that Respondent has advised DPLS, NYSED, that Respondent is not engaging in the practice of Respondent's profession in the State of New York and does not desire to register, and that 2) Respondent has paid any fines which may have previously been imposed upon Respondent by the Board or by the Board of Regents; said proof of the above to be submitted no later than the first two months of the period of probation;
5. Respondent shall comply with all terms, conditions, restrictions, and penalties to which he is subject pursuant to the order of the Board;
6. Any civil penalty not paid by the date prescribed herein shall be subject to all provisions of law relating to debt collection by the State of New York. This includes but is

not limited to the imposition of interest, late payment charges and collection fees; referral to the New York State Department of Taxation and Finance for collection; and non renewal of permits or licenses (Tax Law section 171(27); State Finance Law section 18; CPLR section 5001; Executive Law section 32).

7. So long as there is full compliance with every term herein set forth, Respondent may continue to practice his or her aforementioned profession in accordance with the terms of probation; provided, however, that upon receipt of evidence of noncompliance with, or any violation of these terms, the Director of the Office of Professional Medical Conduct and/or the Board may initiate a violation of probation proceeding and/or such other proceeding against Respondent as may be authorized pursuant to the Public Health Law.