



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

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

Dennis P. Whalen  
*Executive Deputy Commissioner of Health*  
Anne F. Saile, Director  
*Office of Professional Medical Conduct*  
William J. Comiskey, Chief Counsel  
*Bureau of Professional Medical Conduct*

William P. Dillon, M.D.  
*Chair*  
Denise M. Bolan, R.P.A.  
*Vice Chair*  
Ansel R. Marks, M.D., J.D.  
*Executive Secretary*

February 1, 1999

**CERTIFIED MAIL-RETURN RECEIPT REQUESTED**

Frederick W. Van Saun, M.D.  
705 Bobby Court  
Schenectady, NY 12309

RE: License No. 127784

Dear Dr. Van Saun:

Enclosed please find Order #BPMC 99-25 of the New York State Board for Professional Medical Conduct. This Order and any penalty provided therein goes into effect **February 1, 1999**.

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

cc: Paul Van Ryn, Esq.  
Maxwell & Van Ryn  
2 Normanskill Boulevard  
Delmar, NY 12054

Mark T. Fantauzzi, Esq.

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

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IN THE MATTER : SURRENDER  
OF : ORDER  
FREDERICK WAYNE VAN SAUN, M.D. : BPMC # 99-25

-----X

FREDERICK WAYNE VAN SAUN, M.D., says:

On or about July 23, 1976, I was licensed to practice medicine as a physician in the State of New York having been issued License No. 127784 by the New York State Education Department. My current address is 705 Bobby Court, Schenectady, New York, 12309.

I am currently registered with the New York State Education Department to practice as a physician in the State of New York.

I understand that I have been charged with four (4) 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 admit guilt to the allegations and the second 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 State Board for Professional Medical Conduct agrees with my proposal, this Order shall be issued striking my name from the roster of physicians in the State of New York without further notice to me. I agree that this Order shall be effective 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 earliest.

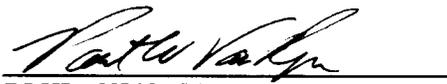
I am making this agreement of my own free will and accord

and not under duress, compulsion, or restraint of any kind or manner.

  
FREDERICK WAYNE VAN SAUN, M.D.  
Respondent

AGREED TO:

Date: 1/13, 1999

  
PAUL VAN RYN, ESQ.  
Attorney for Respondent

Date: 1/14, 1999

  
MARK T. FANTAUZZI  
Assistant Counsel  
Bureau of Professional  
Medical Conduct

Date: Jan 20, 1999

  
ANNE F. SAILE  
Director, Office of  
Professional Medical Conduct

ORDER

Upon the proposed agreement of FREDERICK WAYNE VAN SAUN, 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

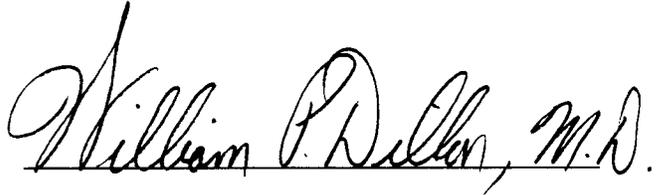
ORDERED, that the proposed agreement and the provisions thereof are hereby adopted; it is further

ORDERED, that the name of 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 of this Order to Respondent at the address set forth in this agreement or to Respondent's attorney, or transmission via facsimile to Respondent or Respondent's attorney, whichever is earliest.

DATED: \_\_\_\_\_

1/23/99



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

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

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IN THE MATTER : STATEMENT  
OF : OF  
FREDERICK WAYNE VAN SAUN, M.D. : CHARGES

-----X

FREDERICK WAYNE VAN SAUN, M.D., the Respondent, was authorized to practice medicine in New York State on or about July 23, 1976, by the issuance of license number 127784 by the New York State Education Department. Respondent is currently registered to practice medicine.

**FACTUAL ALLEGATIONS**

A. Respondent, on various occasions since his being admitted to the practice of medicine practice, has practiced medicine while impaired by drugs.

B. Respondent, on various occasions since his being admitted to the practice of medicine, has practiced medicine while impaired by alcohol.

C. Respondent, on various occasions since his admission to the practice of medicine, has been a habitual abuser of alcohol and/or has been a habitual user of narcotics, barbituates, amphetamines, hallucinogens, or other drugs having similar effects, including but not limited to crack cocaine, cocaine, and

marijuana.

D.. Respondent, on or about October 20, 1998 and/or October 28, 1998, used crack cocaine.

E. Respondent, on or about October 28, 1998, was arrested by officers employed by the Police Department of the City of Schenectady, New York, having been found by the Police officers to be in possession of a bag of crack cocaine. Respondent has been charged with a violation of New York Penal Law section 220.03, criminal possession of a controlled substance in the seventh degree.

G. Respondent, on various occasions since his being admitted to the practice of medicine, has suffered from a psychiatric disability which impairs his ability to practice medicine.

#### **SPECIFICATIONS**

##### **FIRST SPECIFICATION**

##### **PHYSICIAN IMPAIRMENT**

Respondent is charged with professional misconduct under New York Education Law section 6530(7) by reason of his having practiced medicine while impaired by drugs and/or alcohol, in that Petitioner charges:

1. The facts in paragraphs A, B, C, and D.

**SECOND SPECIFICATION**  
**HABITUAL USE/ABUSE OF ALCOHOL/DRUGS**

Respondent is charged with professional misconduct under New York Education Law section 6530(8) by reason of his being a habitual abuser of alcohol and/or by reason of his being dependent upon and/or a habitual user of narcotics, barbituates, amphetamines, hallucinogens or other drugs having similar effects, in that Petitioner charges:

The facts in paragraphs C, and D.

**THIRD SPECIFICATION**  
**MORAL UNFITNESS**

Respondent is charged with professional misconduct under N.Y. Educ. Law §6530(20) by reason of his having engaged in conduct in the practice of medicine which evidences moral unfitness to practice medicine, in that Petitioner charges:

The facts in paragraphs A, B, C, D, and E.

**FOURTH SPECIFICATION**  
**MENTAL IMPAIRMENT**

Respondent is charged with professional misconduct in violation of New York Education Law section 6530(8) by reason of

his practiced medicine while impaired by a mental disability, in that Petitioner charges:

The facts in paragraphs F.

DATED: *January 14*, 1999  
Albany, New York

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