



New York State Board for Professional Medical Conduct

Corning Tower • Empire State Plaza • Albany, NY 12237 • (518) 474-8357

Barbara A. DeBuono, M.D., M.P.H.
Commissioner of Health

Charles J. Vacanti, M.D.
Chair

May 2, 1996

CERTIFIED MAIL-RETURN RECEIPT REQUESTED

Raymond Lambert, M.D.
9 Brookside Drive
Smithtown, New York 11787-3473

RE: License No. 108884

Dear Dr. Lambert:

Effective Date: 05/09/96

Enclosed please find Order #BPMC 96-107 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,

Charles Vacanti, M.D.
Chair
Board for Professional Medical Conduct

Enclosure

cc: Anthony Z. Scher, Esq.
Wood & Scher
The Harwood Building
14 Harwood Court
Scarsdale, New York 10583

Marcia E. Kaplan, Esq.

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

IN THE MATTER
OF
RAYMOND LAMBERT, M.D.

CONSENT
ORDER
BPMC #96-107

Upon the application of RAYMOND LAMBERT, 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: 1 May 1996

Charles J. Vacanti

CHARLES J. VACANTI, M.D.
Chairperson
State Board for Professional
Medical Conduct

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

IN THE MATTER
OF
RAYMOND LAMBERT, M.D.

APPLICATION
FOR
CONSENT ORDER

STATE OF NEW YORK)
COUNTY OF SUFFOLK) ss.:

Raymond Lambert, M.D., being duly sworn, deposes and says:

That on or about June 24, 1971, I was licensed to practice as a physician in the State of New York, having been issued License No. 108884 by the New York State Education Department.

My current address is 9 Brookside Drive, Smithtown, New York 11787-3473, and I will advise the Director of the Office of Professional Medical Conduct of any change of my address.

I understand that the New York State Board for Professional Medical Conduct has charged me with four specifications of professional misconduct.

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

I do not contest the First Specification and the Fourth Specification of the Statement of Charges, and the related factual allegations, in full satisfaction of the charges against me. I hereby agree that I shall be subject to a two year period of probation, with conditions as set forth in the attached Terms of Probation, a copy of which is annexed hereto, made a part hereof, and marked as Exhibit "B".

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. In consideration of the value to me of the acceptance by the Board of this Application, allowing me to resolve this matter without the various risks and burdens of a hearing on the merits, I knowingly waive any right I may have to contest the Consent Order for which I hereby apply, whether administratively or judicially, and ask that the Application be granted.



RAYMOND LAMBERT, M.D.
RESPONDENT

Sworn to before me this

17th day of April, 1996



NOTARY PUBLIC

DIANE SAVAGE

Notary Public, State of New York

No. 4798292

Qualified in Suffolk County

Commission Expires

9-30-97

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

**IN THE MATTER
OF
RAYMOND LAMBERT, M.D.**

**APPLICATION
FOR
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:

April 1, 2001

Raymond Lambert

RAYMOND LAMBERT, M.D.
Respondent

DATE:

April 1, 2001

Anthony Z. Scher

ANTHONY Z. SCHER, ESQ.
Attorney for Respondent

DATE:

MARCIA E. KAPLAN
Associate Counsel
Bureau of Professional
Medical Conduct

DATE: April 26, 1996

Anne Saile

ANNE F. SAILE
Acting Director
Office of Professional Medical
Conduct

DATE: 1 May 1996

Charles J. Vacanti

CHARLES J. VACANTI, M.D.
Chairperson
State Board for Professional
Medical Conduct

IN THE MATTER
OF
RAYMOND LAMBERT, M.D.

STATEMENT
OF
CHARGES

Raymond Lambert, M.D., the Respondent, was authorized to practice medicine in New York State on or about June 24, 1971, by the issuance of license number 108884 by the New York State Education Department.

FACTUAL ALLEGATIONS

- A. Respondent treated Patient A, a 30 year old male, from on or about March 15, 1991 through on or about November 19, 1992, at his office at 9 Brookside Drive, Smithtown, New York 11787-3473.
1. Respondent failed to take or note an appropriate initial psychiatric history.
 2. Respondent failed to perform or note an appropriate mental status examination.
 3. Respondent failed to make or note an appropriate diagnosis.
 4. Respondent prescribed medications including Darvon, Valium, Norgesic forte, BuSpar and Xanax to Patient A inappropriately, and/or in excessive amounts, and/or failed to note appropriate indication for these medications, as prescribed.
 5. Respondent failed to consult appropriately with other physicians treating and/or prescribing for Patient A, or to note such consultation.

SPECIFICATION OF CHARGES

FIRST SPECIFICATION

NEGLIGENCE ON MORE THAN ONE OCCASION

Respondent is charged with committing professional misconduct as defined in N.Y. Educ. Law §6530(3)(McKinney Supp. 1996) by practicing the profession of medicine with negligence on more than one occasion as alleged in the facts of two or more of the following:

1. Paragraph A and A.1, A.2., A.3, A.4 and/or A.5

SECOND SPECIFICATION

INCOMPETENCE ON MORE THAN ONE OCCASION

Respondent is charged with committing professional misconduct as defined in N.Y. Educ. Law §6530(5)(McKinney Supp. 1996) by practicing the profession of medicine with incompetence on more than one occasion as alleged in the facts of two or more of the following:

2. Paragraph A and A.1, A.2., A.3, A.4 and/or A.5.

THIRD SPECIFICATION
ORDERING OF EXCESSIVE TREATMENT

Respondent is charged with committing professional misconduct as defined in N.Y. Educ. Law §6530(35)(McKinney Supp. 1996) by ordering of excessive treatment not warranted by the condition of Patient A, as alleged in the facts of:

3. Paragraph A and A.4.

FOURTH SPECIFICATION
INACCURATE RECORDKEEPING

Respondent is charged with committing professional misconduct as defined in N.Y. Educ. Law §6530(32)(McKinney Supp. 1996) by failing to maintain a record for Patient A which accurately reflects the evaluation and treatment of the patient, as alleged in the facts of:

4. Paragraph A and A.1, A.2., A.3, A.4 and/or A.5

DATED: April , 1996
New York, New York

ROY NEMERSON
Deputy Counsel
Bureau of Professional
Medical Conduct

EXHIBIT "B"
TERMS OF PROBATION

1. RAYMOND LAMBERT, M.D., during the period of probation, shall conduct himself/herself in all ways in a manner befitting his/her professional status, and shall conform fully to the moral and professional standards of conduct imposed by law and by his/her profession;
2. 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 Department of Health, Corning Tower Building, 4th Floor, Empire State Plaza, Albany, New York 12237 of any employment and practice, of Respondent's residence and telephone number, and 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, within 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 and shall assume and bear all costs related to compliance with the Terms of Probation;
6. Respondent shall maintain complete, legible and accurate records of his evaluation and treatment of each of his patients, and of his ordering, purchasing, dispensing, administering and/or prescribing of controlled substances, official New York State triplicate prescription books and any other records which may now or hereafter be required by the New York Public Health law or other state law, rules or regulations. Respondent shall make these records available, upon request, to the Director of OPMC or her designee.
7. Respondent shall meet on a quarterly basis with a Medical

Coordinator or other physician designated by the Director of OPMC. Said physician may review Respondent's records and reports.

8. Within the first year of probation, Respondent shall successfully complete the mini-residency in the Proper Prescribing of Controlled Dangerous Substances offered through Kennedy Memorial Hospital in Mt. Laurel, New Jersey, or another similar program pre-approved in writing by the Director of OPMC as suitable for compliance with this term of probation.
9. 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 §171(27); State Finance Law §18; CPLR §5001; Executive Law §32);
10. 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.