

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

-----x

IN THE MATTER :
OF : ORDER
JOHN A. SCORZA, M.D. : BPMC 94-88

-----x

Upon the application of JOHN A. SCORZA, 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: 16 June 1994

Redacted Signature

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
JOHN A. SCORZA, M.D. : CONSENT
: ORDER

-----X

COMMONWEALTH OF MASSACHUSETTS) ss:
COUNTY OF NORFOLK)

JOHN A. SCORZA, M.D., being duly sworn, deposes and says:

That on or about June 3, 1983, I was licensed to practice as a physician in the State of New York, having been issued License No. 154319 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 at 54 Trout Farm Lane, Duxbury, MA., 02332.

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 attached hereto, made part hereof and marked as Exhibit A.

I admit guilt to the specification in full satisfaction of the charges against me.

I hereby agree to the penalty my license to practice medicine be suspended for four years, with said suspension stayed to become a period of probation under terms and conditions attached hereto, made 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.

Redacted Signature

~~_____~~
JOHN A. SCORZA, M.D.
RESPONDENT

Sworn to before me this

~~_____~~ day of ~~_____~~, 1984.

Redacted Signature

~~_____~~
NOTARY PUBLIC

DATE: June 11, 1994

Redacted Signature

KATHLEEN M. TANNER
DIRECTOR
Office of Professional Medical
Conduct

DATE: 16 June 1994

Redacted Signature

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 : STATEMENT
OF : OF
JOHN A. SCORZA, M.D. : CHARGES
-----X

JOHN A. SCORZA, M.D., the Respondent, was authorized to practice medicine in New York State on June 3, 1983 by the issuance of license number 154319 by the New York State Education Department. The Respondent is currently registered with the New York State Education Department to practice medicine from January 1, 1993 through December 31, 1994 at 54 Trout Farm Lane, Duxbury, Massachusetts 02332.

FACTUAL ALLEGATIONS

A. On or about May 26, 1993, the Board of Registration in Medicine of the Commonwealth of Massachusetts issued a consent order finding that Respondent had violated Mass. G.L.c 112 Section 5(b) and 243 CMR 1.03(5)(a)2 in that he had committed an offense against the laws of the Commonwealth of Massachusetts relating the practice of medicine specifically, Mass. G.L.c. 94 C; had violated Mass. G.L.c. 112, section 5(e) and 243 CMR 1.03(5)(a) 5 in that he was addicted to and dependent

on and was a habitual user of narcotics, specifically amphetamines; had violated 243 CMR 1.03(5)(a)10 in that he had practiced medicine deceitfully, or had engaged in conduct which has the capacity to deceive or defraud; and had violated Mass. G.L.c. 112 Section 5(h) and 243 CMR 1.03(4)(a) 11 in that he had violated a rule or regulation of the Board, specifically 243 CMR 2.07(5). The Massachusetts Board of Registration in Medicine suspended Respondent's license to practice indefinitely and stayed said suspension upon Respondent's entry into a probation agreement. The conduct upon which the Massachusetts findings were based would, if committed in New York State, constitute professional misconduct in violation of N.Y. Educ. Law §§ 6530(2) and/or (8).

SPECIFICATION

The Respondent is charged with 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 findings were based would, if committed in New York State, constitute professional misconduct under the laws of New York State in violation of N.Y. Educ. Law §6530(9)(b) (McKinney Supp. 1994) in that, Petitioner alleges the facts in paragraph A.

DATED: Albany, New York

April 19, 1994

Redacted Signature

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

EXHIBIT B

TERMS OF PROBATION

1. JOHN A. SCORZA, 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 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, 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. Proof from DPLS shall 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. Proof of the above shall be submitted no later than the first two months of the period of probation.
5. Respondent shall comply fully with the May 26, 1993 Probation Agreement of the Massachusetts Board of Registration in Medicine and any extensions or modification thereof.
6. Respondent shall cause the Massachusetts Board of Registration in Medicine to submit quarterly reports to the Director, O.P.M.C., addressed as aforesaid, verifying that

he is in compliance with his Massachusetts probation.

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.