

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

IN THE MATTER OF
GLENN PETER DIPRIMA, R.P.A.

SURRENDER
ORDER

BPMC No. #09-17

Upon the application of (Respondent) GLENN PETER DIPRIMA, R.P.A., to Surrender his license and certificate of registration as a physician assistant in the State of New York, which is made a part of this Surrender Order, it is

ORDERED, that the Surrender, and its terms, are adopted and it is further

ORDERED, that Respondent's name be stricken from the roster of physician assistants in the State of New York; it is further

ORDERED, that this Order shall be effective upon issuance by the Board, either

- by mailing of a copy of this Surrender Order, either by first class mail to Respondent at the address in the attached Surrender Application or by certified mail to Respondent's attorney, OR
- upon facsimile transmission to Respondent or Respondent's attorney,

Whichever is first.

SO ORDERED.

DATE: 2-05-2009

Redacted Signature

KENDRICK A. SEARS, M.D.
Chair
State Board for Professional Medical Conduct

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

IN THE MATTER OF
GLENN PETER DIPRIMA, R.P.A.

SURRENDER
of
LICENSE AND
CERTIFICATE

GLENN PETER DIPRIMA, R.P.A., represents that all of the following statements are true:

That on or about February 7, 2002, I was licensed and registered to practice as a physician assistant in the State of New York and issued License No. 008637 by the New York State Education Department.

My current address is Redacted Address, and I will advise the Director of the Office of Professional Medical Conduct of any change of address.

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

A copy of the Statement of Charges, marked as Exhibit "A", is attached to and part of this Surrender of License and Certificate of Registration.

I am applying to the State Board for Professional Medical Conduct for permission to surrender my license and certificate of registration as a physician assistant in the State of New York on the grounds that I agree not to contest the statement of charges in full satisfaction of the charges against me.

I ask the Board to accept my Surrender of License and Certificate of

Registration, and I agree to be bound by all of the terms set forth in attached Exhibit "B".

I understand that, if the Board does not accept my Surrender of License and Certificate of Registration, none of its terms shall bind me or constitute an admission of any of the acts of misconduct alleged; this application shall not be used against me in any way and shall be kept in strict confidence; and the Board's denial shall be without prejudice to the pending disciplinary proceeding and the Board's final determination pursuant to the Public Health Law.

I agree that, if the Board accepts my Surrender of License and Certificate of Registration, the Chair of the Board shall issue a Surrender Order in accordance with its terms. I agree that this Order shall take effect upon its issuance by the Board, either by mailing of a copy of the Surrender Order by first class mail to me at the address in this Surrender of License and Certificate of Registration, or to my attorney by certified mail, or upon facsimile transmission to me or my attorney, whichever is first. The Surrender Order, this agreement, and all attached exhibits shall be public documents, with only patient identities, if any, redacted. As public documents, they may be posted on the Department's website(s).

I ask the Board to accept this Surrender of License and Certificate of Registration, which I submit of my own free will and not under duress, compulsion or restraint. In consideration of the value to me of the Board's acceptance of this Surrender of License and Certificate of Registration, allowing me to resolve this

matter without the various risks and burdens of a hearing on the merits, I knowingly waive my right to contest the Surrender Order for which I apply, whether administratively or judicially, and I agree to be bound by the Surrender Order.

I understand and agree that the attorney for the Department, the Director of the Office of Professional Medical Conduct and the Chair of the State Board for Professional Medical Conduct each retain complete discretion either to enter into the proposed agreement and Order, based upon my application, or to decline to do so. I further understand and agree that no prior or separate written or oral communication can limit that discretion.

DATE

1/20/09

Redacted Signature

GLENN PETER DIPRIMA, R.P.A.
RESPONDENT

The undersigned agree to Respondent's attached Surrender of License and Certificate of Registration and to its proposed penalty, terms and conditions.

DATE: _____

, ESQ.
Attorney for Respondent

DATE: 1/26/2009

Redacted Signature
~~_____~~
Denise Lepicier
Associate Counsel
Bureau of Professional Medical Conduct

DATE: 2/4/09

Redacted Signature
~~_____~~
KEITH W. SERVIS
Director
Office of Professional Medical Conduct

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

IN THE MATTER
OF
GLENN PETER DIPRIMA, R.P.A.

STATEMENT
OF
CHARGES

GLENN PETER DIPRIMA, R.P.A., the Respondent, was authorized to practice as a physician assistant in New York State on or about February 7, 2002, by the issuance of license number 008637 by the New York State Education Department.

FACTUAL ALLEGATIONS

- A. On or about September 12, 2000, Respondent submitted an "Application for Licensure and First Registration" to the New York State Education Department and, with the intent to deceive, failed to disclose that he had previously been charged and convicted of a crime in 1993.
- B. From on or about September of 2007 to on or about December of 2007, Respondent inappropriately, without authority, and with the intent to deceive, wrote prescriptions for controlled substances for himself on the prescription pad of a physician, signing that physician's name.
- C. On or about November 25, 2008, Respondent was convicted in Nassau

County Court of Attempted Criminal Facilitation a class "B" misdemeanor in violation of New York State Penal Law §§ 110 and 115.

SPECIFICATION OF CHARGES

FIRST SPECIFICATION

OBTAINING THE LICENSE FRAUDULENTLY

Respondent is charged with committing professional misconduct as defined in N.Y. Educ. Law § 6530(1) by obtaining his license fraudulently, as alleged in the facts of:

1. Paragraph A.

SECOND SPECIFICATION

FRAUDULENT PRACTICE

Respondent is charged with committing professional misconduct as defined by N.Y. Educ. Law § 6530(2) by practicing as a physician assistant fraudulently as alleged in the facts of the following:

2. Paragraph B.

THIRD SPECIFICATION

CRIMINAL CONVICTION (N.Y.S.)

Respondent is charged with committing professional misconduct as defined in N.Y. Educ. Law § 6530(9)(a)(i) by having been convicted of committing an act

constituting a crime under New York state law as alleged in the facts of the following:

3. Paragraph C.

DATE: ^{Jan 26} ~~December~~, 200⁹~~8~~
New York, New York

Redacted Signature

Roy Nemerson
Deputy Counsel
Bureau of Professional Medical Conduct

EXHIBIT "B"

GUIDELINES FOR CLOSING A MEDICAL PRACTICE FOLLOWING LICENSE REVOCATION, SURRENDER OR SUSPENSION OF SIX MONTHS OR MORE

1. Respondent shall immediately cease the practice as a physician assistant in compliance with the terms of the Surrender Order. Respondent shall not represent that Respondent is eligible to practice as a physician assistant and shall refrain from providing an opinion as to professional practice or its application.
2. Within 15 days of the Surrender Order's effective date, Respondent shall notify all patients that Respondent has ceased practice as a physician assistant, and shall refer all patients for continued care as appropriate.
3. Within 30 days of the Surrender Order's effective date, Respondent shall deliver Respondent's original license and certificate of registration to practice as a physician assistant in New York State and current triennial registration to the Office of Professional Medical Conduct (OPMC) at 433 River Street Suite 303, Troy, NY 12180-2299.
4. Respondent shall arrange for the transfer and maintenance of all patient medical records. Within 30 days of the Surrender Order's effective date, Respondent shall notify OPMC of these arrangements, including the name, address, and telephone number of an appropriate contact person, acceptable to the Director of OPMC, who shall have access to these records. Original records shall be retained for patients for at least 6 years after the last date of service, and, for minors, for at least 6 years after the last date of service or 3 years after the patient reaches the age of majority, whichever time period is longer. Records shall be maintained in a safe and secure place that is reasonably accessible to former patients. The arrangements shall ensure that all patient information is kept confidential and is available only to authorized persons. When a patient or authorized representative requests a copy of the patient's medical record, or requests that the original medical record be sent to another health care provider, a copy of the record shall be provided promptly or sent to the patient at reasonable cost (not to exceed 75 cents per page). Radiographic, sonographic and like materials shall be provided at cost. A qualified person shall not be denied access to patient information solely because of inability to pay.
5. Within 15 days of the Surrender Order's effective date, if Respondent holds a Drug Enforcement Agency (DEA) certificate, Respondent shall advise the DEA in writing of the licensure and registration action and shall surrender Respondent's DEA controlled substance certificate, privileges, and any

unused DEA #222 U.S. Official Order Forms Schedules 1 and 2, to the DEA.

6. Within 15 days of the Surrender Order's effective date, Respondent shall return any unused New York State official prescription forms to the Bureau of Narcotic Enforcement of the New York State Department of Health. Respondent shall have all prescription pads bearing Respondent's name destroyed. If no other licensee is providing services at Respondent's practice location, Respondent shall dispose of all medications.
7. Within 15 days of the Surrender Order's effective date, Respondent shall remove from the public domain any representation that Respondent is eligible to practice as a physician assistant, including all related signs, advertisements, professional listings whether in telephone directories or otherwise, professional stationery or billings. Respondent shall not share, occupy or use office space in which another licensee provides health care services.
8. Respondent shall not charge, receive or share any fee or distribution of dividends for professional services rendered (by Respondent or others) while barred from practicing as a physician assistant. Respondent may receive compensation for the reasonable value of services lawfully rendered, and disbursements incurred on a patient's behalf, before the Surrender Order's effective date.
9. If Respondent is a shareholder in any professional service corporation organized to engage in the practice of medicine and/or as a physician assistant, and Respondent's license is revoked, surrendered or suspended for 6 months or more pursuant to this Surrender Order, Respondent shall, within 90 days of the Surrender Order's effective date, divest all financial interest in the professional services corporation in accordance with New York Business Corporation Law. If Respondent is the sole shareholder in a professional services corporation, the corporation must be dissolved or sold within 90 days of the Surrender Order's effective date.
10. Failure to comply with the above directives may result in civil or criminal penalties. Practicing as a physician assistant when a license and registration has been suspended, revoked or annulled is a Class E Felony, punishable by imprisonment for up to 4 years, under N.Y. Educ. Law § 6512. Professional misconduct may result in penalties including revocation of the suspended license and/or fines of up to \$10,000 for each specification of misconduct, under N.Y. Pub. Health Law § 230-a.