



New York State Board for Professional Medical Conduct

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

Richard F. Daines, M.D.
Commissioner
NYS Department of Health

Keith W. Servis
Director
Office of Professional Medical Conduct

Public

Kendrick A. Sears, M.D.
Chair

Michael A. Gonzalez, R.P.A.
Vice Chair

Ansel R. Marks, M.D., J.D.
Executive Secretary

July 2, 2007

CERTIFIED MAIL-RETURN RECEIPT REQUESTED

Robert A. Wolf, M.D.
6124 Hickory Tree Trail
Bloomfield Hills, MI 48302

Re: License No. 100256

Dear Dr. Wolf:

Enclosed is a copy of Order #BPMC 07-136 of the New York State Board for Professional Medical Conduct. This order and any penalty provided therein goes into effect July 9, 2007.

If the penalty imposed by this Order is a surrender, revocation or suspension, you are required to deliver your license and registration within five (5) days of receipt of this Order to the Board for Professional Medical Conduct, New York State Department of Health, 433 River Street, Suite 303, Troy, NY 12180.

Sincerely,

Ansel R. Marks, M.D., J.D.
Executive Secretary
Board for Professional Medical Conduct

Enclosure

cc: Ron S. Kirsch, Esq.
O'Leary & O'Leary, P.C.
26777 Central Park Blvd., Suite 150
Southfield, MI 48076-4165

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

IN THE MATTER
OF
ROBERT A. WOLF, M.D.

CONSENT

ORDER

BPMC No. #07-136

Upon the application of (Respondent), **ROBERT A. WOLF, M.D.** in the attached Consent Agreement and Order, which is made a part of this Consent Order, it is

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

ORDERED, that this Consent Order shall be effective upon issuance by the Board, either by mailing of a copy of this Consent Order, either

by first class mail to Respondent at the address in the attached Consent Agreement or by certified mail to Respondent's attorney, or

upon facsimile transmission to Respondent or Respondent's attorney, whichever is first.

SO ORDERED.

DATED: 6-28-07



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

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

IN THE MATTER
OF
ROBERT A. WOLF, M.D.
CO-06-05-2987-A

CONSENT
AGREEMENT
AND ORDER

ROBERT A. WOLF, M.D., representing that all of the following statements are true, deposes and says:

That on or about October 19, 1967, I was licensed to practice as a physician in the State of New York, and issued License No. 100256 by the New York State Education Department.

My current address is 6124 Hickory Tree Trail, Bloomfield Hills, MI 48302 .

I understand that the New York State Board for Professional Medical Conduct (Board) has charged me with six (6) Specifications of professional misconduct.

A copy of the Statement of Charges, marked as Exhibit "A", is attached to and part of this Consent Agreement.

I do not contest the six (6) Specifications, in full satisfaction of the charges against me, and agree to the following penalty:

I shall never activate my registration to practice medicine in New York state or seek to reapply for a license to practice medicine in New York state.

I further agree that the Consent Order shall impose the following conditions:

That Respondent shall cooperate fully with the Office of Professional Medical Conduct (OPMC) in its administration and enforcement of this Consent Order and in its investigations of matters concerning Respondent. Respondent shall respond in a timely manner to all OPMC requests for written periodic verification of Respondent's compliance with this Consent Order. Respondent shall meet with a person designated by the Director of OPMC, as directed. Respondent shall respond promptly and provide all documents and information within Respondent's control, as directed. This condition shall take effect upon the Board's issuance of the Consent Order and will continue so long as Respondent remains licensed in New York State.

I stipulate that my failure to comply with any conditions of this Consent Order shall constitute misconduct as defined by New York Education Law § 6530(29).

I agree that, if I am charged with professional misconduct in future, this Consent Agreement and Order shall be admitted into evidence in that proceeding.

I ask the Board to adopt this Consent Agreement.

I understand that if the Board does not adopt this Consent Agreement, none of its terms shall bind me or constitute an admission of any of the acts of alleged misconduct; this Consent Agreement 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 New York Public Health Law.

I agree that, if the Board adopts this Consent Agreement, the Chair of the Board shall issue a Consent Order in accordance with its terms. I agree that this Consent Order shall take effect upon its issuance by the Board, either by mailing of a copy of the Consent Order by first class mail to me at the address in this Consent Agreement, or to my attorney by certified mail, or upon facsimile transmission to me or my attorney, whichever is first. The Consent 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.

I stipulate that the proposed sanction and Consent Order are authorized by New York Public Health Law §§ 230 and 230-a, and that the Board and OPMC have the requisite powers to carry out all included terms. I ask the Board to adopt this Consent Agreement of my own free will and not under duress, compulsion or restraint. In consideration of the value to me of the Board's adoption of this Consent Agreement, 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 Consent Order for which I apply, whether administratively or judicially, I agree to be bound by the Consent Order, and I ask that the Board adopt this Consent Agreement.

I understand and agree that the attorney for the Department, the Director of OPMC and the Chair of the Board each retain complete discretion either to enter into the proposed agreement and Consent 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.

AFFIRMED:

DATED: 6/21/07

Robert A. Wolf, M.D.
ROBERT WOLF, M.D.
Respondent

The undersigned agree to Respondent's attached Consent Agreement and to its proposed penalty, terms and conditions.

DATE: 6/21/07

Ron S. Kirsch
RON S. KIRSCH
Attorney for Respondent

DATE: 26 June 2007

Robert Bogan
ROBERT BOGAN
Associate Counsel
Bureau of Professional Medical Conduct

DATE: 6/29/07

Keith W. Servis
KEITH W. SERVIS
Director
Office of Professional Medical Conduct

IN THE MATTER
OF
ROBERT A. WOLF, M.D.
CO-06-05-2987-A

AMENDED
STATEMENT
OF
CHARGES

ROBERT A. WOLF, M.D., Respondent, was authorized to practice medicine in New York state on October 19, 1967, by the issuance of license number 100256 by the New York State Education Department.

FACTUAL ALLEGATIONS

A. On or about February 3, 2005, in the 52nd District Court, 4th Division, Troy, Michigan, Respondent was found guilty, based on a plea of No Contest, of Drove/Operating While Impaired, a misdemeanor, and was sentenced, inter alia, to one (1) day jail, twenty four (24) months probation, and to pay \$885.00 in fine and costs, a \$45.00 state charge, \$1,200.00 POE and \$340.00 other.

B. On or about March 15, 2006, the State of Michigan, Department of Community Health, Bureau of Health Professions, Board of Medicine, Disciplinary Subcommittee, (hereinafter "Michigan Board"), by a Consent Order (hereinafter "Michigan Order"), placed Respondent on one (1) year probation, subject to terms and conditions, that include, inter alia, that he comply with a monitoring agreement, that he successfully complete CME, and that he pay a \$1,000.00 fine, based on the conviction set forth Paragraph A, above; conduct, practice, or condition which impairs, or may impair, the ability to safely and skillfully practice the profession; substance abuse; suffering from a mental or physical inability reasonably related to and adversely affecting his ability to practice in a safe and competent manner; and failure to maintain a medical record for a patient.

C. On or about March 14, 2007, the Michigan Board, by a Consent Order and Stipulation (hereinafter "Michigan Order 2"), inter alia, SUSPENDED Respondent's license to practice medicine for six (6) months and one (1) day, based on negligence.

D. The conduct resulting in the Michigan Board disciplinary actions against Respondent would constitute misconduct under the laws of New York state, pursuant to the following sections of New York state law:

1. New York Education Law §6530(3) (negligence on more than one occasion);
2. New York Education Law §6530(9)(a)(i) (being convicted of committing an act constituting a crime under State law); and/or
3. New York Education Law §6530(32) (failing to maintain a record for each patient which accurately reflects the evaluation and treatment of the patient)

SPECIFICATIONS
FIRST SPECIFICATION

Respondent violated New York Education Law §6530(9)(a)(iii) being convicted of committing an act constituting a crime under the law of another jurisdiction which, if committed in New York state, would have constituted a crime under the laws of New York state law, in that Petitioner charges:

1. The facts in Paragraph A.

SECOND AND THIRD SPECIFICATIONS

Respondent violated New York Education Law §6530(9)(b) by 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 finding was based would, if committed in New York state, constitute professional misconduct under the laws of New York state, in that Petitioner charges:

2. The facts in Paragraphs A, B, and/or D.
3. The facts in Paragraphs C and/or D.

FOURTH AND FIFTH SPECIFICATIONS

Respondent violated New York Education Law §6530(9)(d) by having disciplinary action taken by a duly authorized professional disciplinary agency of another state, where the conduct resulting in the disciplinary action would, if committed in New York state, constitute professional misconduct under the laws New York state, in that Petitioner charges:

4. The facts in Paragraphs A, B, and/or D.
5. The facts in Paragraphs C and/or D.

DATED: *June 22*, 2007
Albany, New York

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