



**Board for Professional Medical Conduct**

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

C. Maynard Guest, M.D.  
Executive Secretary

July 6, 1995

**CERTIFIED MAIL - RETURN RECEIPT REQUESTED**

Jay Stanley Goldwyn, M.D.  
86-15 Queens Boulevard  
Elmhurst, New York 11373

RE: License No. 046742

Effective Date: 07/13/95

Dear Dr. Goldwyn:

Enclosed please find Order #BPMC 95-140 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,

C. Maynard Guest, M.D.  
Executive Secretary  
Board for Professional Medical Conduct

Enclosure

cc: Jay Kachadoorian, Esq.  
Garbarini & Scher  
1114 Avenue of the Americas  
35th Floor  
New York, New York 10036

Marcia Kaplan, Esq.

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

IN THE MATTER  
OF  
JAY STANLEY GOLDWYN, M.D.

SURRENDER  
ORDER  
BPMC #95-140

Upon the Application of JAY STANLEY GOLDWYN, M.D. (Respondent) to Surrender his/her license as a physician in the State of New York, which application is made a part hereof, it is

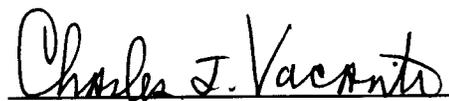
ORDERED, that the application and the provisions thereof are hereby adopted; it is further

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 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 via certified mail, whichever is earliest.

SO ORDERED.

DATED: 28 June 1995



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  
JAY STANLEY GOLDWYN, M.D.

APPLICATION TO  
SURRENDER  
LICENSE

STATE OF NEW YORK )

ss.:

COUNTY OF NEW YORK)

JAY STANLEY GOLDWYN, M.D., being duly sworn, deposes and says:

On or about October 9, 1947, I was licensed to practice medicine as a physician in the State of New York having been issued License No. 046742 by the New York State Education Department.

My current address is 86-15 Queens Boulevard, Elmhurst, N.Y. 11373 , and I will advise the Director of the Office of Professional Medical Conduct of any change of my address.

I understand that I have been charged with two specifications of professional misconduct as set forth in the Statement of Charges, annexed hereto, made a part hereof, and marked as Exhibit "A".

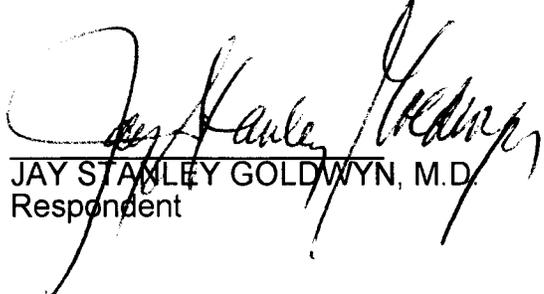
I am applying to the State Board for Professional Medical Conduct for permission to surrender my license as a physician in the State of New York effective July 1, 1995, or as soon thereafter as the Order of the State Board for Professional Medical Conduct may issue, on the grounds that I do not contest the First and Second specifications, and the related factual allegations, in full satisfaction of the Statement of Charges.

I hereby make this application to the State Board for Professional Medical Conduct and request that it be granted.

I understand that, in the event that the application 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 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 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.

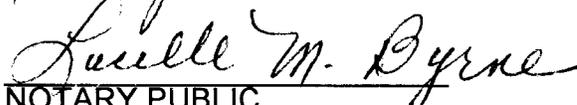
I agree that, in the event the State Board for Professional Medical Conduct grants my application, an order shall be issued striking my name from the roster of physicians in the State of New York without further notice to me.

I am making this Application of my own free will and accord and not under duress, compulsion, or restraint of any kind or manner.

  
JAY STANLEY GOLDWYN, M.D.  
Respondent

Sworn to before me this

16 day of June, 1995

  
NOTARY PUBLIC

LUCILLE M. BYRNE  
NOTARY PUBLIC, State of New York  
No. 41-4696631  
Qualified in Queens County  
Commission Expires Feb. 28, 19 96

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

IN THE MATTER  
OF  
JAY STANLEY GOLDWYN, M.D.

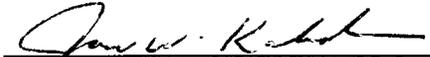
APPLICATION TO  
SURRENDER  
LICENSE

The undersigned agree to the attached application of the Respondent to surrender his license.

Date: 6/16, 1995

  
JAY STANLEY GOLDWYN, M.D.  
Respondent

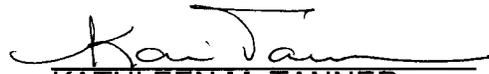
Date: 6-5, 1995

  
JAY KACHADOORIAN, ESQ.  
Attorney for Respondent

Date: June 22, 1995

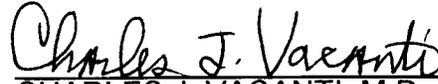
  
MARCIA E. KAPLAN  
Attorney for the  
Bureau of Professional  
Medical Conduct

Date: 6/27/95 1995



KATHLEEN M. TANNER  
Director  
Office of Professional Medical Conduct

Date: 28 June, 1995



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  
JAY STANLEY GOLDWYN, M.D. : CHARGES  
-----X

JAY STANLEY GOLDWYN, M.D., the Respondent, was authorized to practice medicine in New York State on October 9, 1947 by the issuance of license number 046742 by the New York State Education Department.

FACTUAL ALLEGATIONS

A. Between on or about November 5, 1990 and on or about May 8, 1992, Respondent treated Patient A at the Queens-Long Island Medical Group, P.C., James Rudel Center, 86-15 Queens Boulevard, Elmhurst, N.Y. 11373, (hereinafter referred to as "HIP.") (The identities of Patients A - L are disclosed in the attached Appendix.)

1. Respondent repeatedly failed to take or note an adequate history.
2. Respondent repeatedly failed to perform or note adequate physical examination(s).

3. Respondent failed to diagnose severe diastolic hypertension.
4. Respondent failed to investigate appropriately the etiology of Patient A's hypertension.
5. Respondent failed to treat Patient A's hypertension appropriately.
6. Respondent failed to perform appropriate follow-up of Patient A's hypertension.

B. From in or about 1975 through on or about October 22, 1993, Respondent treated Patient B at HIP.

1. Respondent repeatedly failed to take or note an adequate medical history.
2. Respondent repeatedly failed to perform or note adequate physical examination(s).
3. Respondent failed to perform adequate follow-up of side effects of medication he prescribed for Patient B.
4. Respondent failed to perform adequate follow-up of Patient B's cardiac status.

C. From in or about February 5, 1992 through in or about March 31, 1993. Respondent treated Patient C at HIP.

1. Respondent repeatedly failed to take or note an adequate medical history.
2. Respondent repeatedly failed to perform or note adequate physical examination(s).
3. Respondent failed to identify the etiology of the fungus of the nail and/or failed to treat it appropriately,

and/or failed to note the etiology and/or appropriate treatment.

D. From on or about October 21, 1991 through on or about June 24, 1993, Respondent treated Patient D at HIP.

1. Respondent failed to maintain an adequate record of his care and treatment of Patient D.

E. In or about 1989 through in or about 1993, Respondent treated Patient E at HIP.

1. Respondent failed to take or note an adequate medical history.
2. Respondent failed to perform or note adequate physical examination(s).
3. Respondent failed to perform adequate follow-up of Patient E's cardiac status, and specifically failed to perform indicated EKGs.

F. In or about 1991 through 1993, Respondent treated Patient F at HIP.

1. Respondent failed to take or note an adequate history.
2. Respondent failed to perform or note adequate physical examination(s).
3. Respondent prescribed Zantac without noting adequate medical indication in the record.

4. Respondent failed to perform adequate follow-up of results of blood tests showing elevated uric acid on January 7, 1993 and elevated HDL on July 25, 1991.

G. From in or about April 1, 1975 through October 1, 1993, Respondent treated Patient G at HIP.

1. Respondent failed to take or note an adequate medical history.
2. Respondent failed to perform or note adequate physical examination(s).
3. Respondent failed to perform a stool guaiac for occult blood despite symptoms suggestive of gastritis and/or peptic ulcer disease.

H. From in or about December 10, 1979 through in or about February 22, 1993, Respondent treated Patient H at HIP.

1. Respondent failed to take or note an adequate medical history.
2. Respondent failed to perform or note adequate physical examination(s).
3. Respondent failed to follow up appropriately on the status of Patient H's cardiovascular system given the history of hypertension.

I. On or about February 25, 1977 through on or about January 7, 1993, Respondent treated Patient I at HIP.

1. Respondent failed to diagnose and treat Patient I's phlebitis appropriately.

J. From in or about August 28, 1985 through on or about October 14, 1993, Respondent treated Patient J at HIP.

1. Respondent failed to take or note an adequate medical history.
2. Respondent failed to perform or note adequate physical examination(s.)
3. Respondent failed to perform appropriate follow-up of Patient's past history of tuberculosis.

K. From on or about September 17, 1991 through on or about July 28, 1993, Patient K, was treated by Respondent at HIP. On or about October 27, 1992:

1. Respondent failed to take or note an adequate medical history.
2. Respondent failed to perform or note an adequate physical examination.
3. Respondent failed to order and/or perform an EKG.
4. Respondent made a diagnosis of arrhythmia without appropriate supporting indication for the diagnosis.
5. Respondent failed to rule out pulmonary emboli.

L. From in or about April 17, 1978 through in or about January 7, 1993, Respondent treated Patient L at HIP. On or about March 21, 1990:

1. Respondent failed to take or note an adequate medical history.
2. Respondent failed to perform or note an adequate physical examination.
3. Respondent failed to order or perform appropriate laboratory or diagnostic tests, or to note such tests.

### SPECIFICATION OF CHARGES

#### FIRST SPECIFICATION

##### PRACTICING WITH NEGLIGENCE ON MORE THAN ONE OCCASION

1. Respondent is charged with practicing the profession with negligence on more than than one occasion under N.Y. Educ. Law Section 6530(3) (McKinney Supp. 1995), in that Petitioner charges Respondent with having committed at least two of the following:

The facts in paragraphs A, A.1, A.2, A.3, A.4, A.5, A.6, B, B.1, B.2, B.3, B.4, C, C.1, C.2, C.3, D, D.1, E, E.1, E.2, E.3, F, F.1, F.2, F.3, F.4, G, G.1, G.2, G.3, H, H.1, H.2, H.3, I, I.1, J, J.1, J.2, J.3, K, K.1, K.2, K.3, K.4, K.5, L, L.1, L.2, and/or L.3.

#### SECOND SPECIFICATION

##### FAILING TO MAINTAIN ACCURATE RECORDS

2. Respondent is charged with unprofessional conduct under N.Y. Educ. Law Section 6530(32) (McKinney Supp. 1995), in

