



Board for Professional Medical Conduct

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

C. Maynard Guest, M.D.
Executive Secretary

October 7, 1992

CERTIFIED MAIL-RETURN RECEIPT REQUESTED

James Galvin, M.D.
1330 Gaylord Street
Denver, Co 80206

RE: License No. 042740
Effective Date 10/21/92

Dear Dr. Galvin:

Enclosed please find Order #BPMC 92-81 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 12237-0614

Sincerely,

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

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

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IN THE MATTER :
OF : ORDER
JAMES GALVIN, M.D. : BPMC 92-81

-----X

Upon the Application of JAMES GALVIN, M.D. (Respondent) to Surrender his 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 Respondent shall not apply for the restoration of Respondent's license until at least one year has elapsed from the effective date of this order; 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 via certified mail, whichever is earliest.

SO ORDERED,

DATED:

2 October 1992

Charles J. Vacanti

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

IN THE MATTER
OF
JAMES GALVIN, M.D.

: APPLICATION TO
:
: SURRENDER
:
: LICENSE
:

STATE OF COLORADO)

ss.:

COUNTY OF DENVER)

JAMES GALVIN, M.D., being duly sworn, deposes and says:

On or about April 30, 1945, I was licensed to practice as a physician in the State of New York having been issued License No. 042740 by the New York State Education Department.

I am not currently registered with the New York State Education Department to practice as a physician in the State of New York.

I understand that I have been charged with One Specification 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 (the Board) for permission to surrender my license as a physician in the State of New York as I do not contest the charges that are set forth in Exhibit "A" of this Application.

I hereby make this application to the Board and request that it be granted.

I understand that, in the event that the 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, an order of the Chairperson of the Board may be issued striking my name from the roster of physicians in the State of New York without further notice to me.

No promises of any kind were made 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.

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

IN THE MATTER
OF
JAMES GALVIN, M.D.

: APPLICATION TO
:
: SURRENDER
:
: LICENSE
:

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

Date: 9-16, 1992

James Galvin M.D.
JAMES GALVIN, M.D.
Respondent *CAC*

Date: September 23, 1992

Jeffrey J. Armon
JEFFREY J. ARMON
Assistant Counsel

Date: 2 October 1992

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

Date: Oct. 6, 1992

Kathleen M. Tanner
KATHLEEN M. TANNER
Director, Office of Professional
Medical Conduct

James Galvin, M.D.
JAMES GALVIN, M.D.
Respondent

Sworn to before me this
16 day of SEPT. , 1992

George J. Culbert
NOTARY PUBLIC

Suscribed and Sworn before me
this 16 day of Sept 1992.

My Commission Expires 11-21-95
3500 East Colfax
Denver, CO 80209

DRAFT

EXHIBIT "A"

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

-----X

IN THE MATTER : STATEMENT
OF : OF
JAMES GALVIN, M.D. : CHARGES

-----X

JAMES GALVIN, M.D., the Respondent, was authorized to practice medicine in New York State on April 30, 1945 by the issuance of license number 042740 by the New York State Education Department. The Respondent is not currently registered with the New York State Education Department to practice medicine in New York State. Respondent's current address is 1330 Gaylord Street, Denver, Colorado 80206.

FACTUAL ALLEGATIONS

A. Respondent entered into a Stipulation and Order (No. RG ME DAICU), effective January 18, 1989, with the Board of Medical Examiners of the State of Colorado, a duly authorized professional disciplinary agency which took disciplinary action and placed conditions on Respondent's license to practice medicine in the State of Colorado.

1. A Panel of the Colorado Board of Medical Examiners found reasonable grounds to believe that the Respondent engaged in unprofessional conduct as defined by §12-36-117(1)(p), C.R.S. (1985) in that he committed an act or omission constituting grossly negligent medical practice or two or more acts or omissions which failed to meet generally accepted standards of medical practice, whether the two or more acts or omissions occurred during a single treatment of one patient, during the course of treatment of one patient, or during the treatment of more than one patient.

2. By entering into such Stipulation and Order, the Respondent waived his right to a formal disciplinary hearing and admitted that the allegations concerning engaging in sexual activity with a minor female patient while she was under his psychiatric care, if unrebutted, would constitute unprofessional conduct on the part of the Respondent as described in 12-36-117(1)(p), C.R.S. (1985).

3. Respondent's conduct would have constituted professional misconduct in New York State pursuant to §6530(3)(4), (McKinney Supp. 1992), i.e. practicing the profession with negligence on more than one occasion and/or practicing the profession with gross negligence on a particular occasion.

SPECIFICATION OF CHARGES

HAVING DISCIPLINARY ACTION
TAKEN BY ANOTHER STATE

Respondent is charged with professional misconduct in violation of N.Y. Educ. Law §6530(9)(d) (McKinney Supp. 1992) [formerly N.Y. Educ. Law §6509(5)(d)] in that Respondent's license to practice medicine is subject to disciplinary action in New York State following a disciplinary action instituted by a duly authorized professional disciplinary agency of another state, where the conduct resulting in such disciplinary action in that other state would, if committed in New York State, constitute professional misconduct, in that Petitioner charges:

1. The facts in Paragraphs A and A.1, A.2, and A.3.

DATED: Albany, New York

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