

Public

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

IN THE MATTER  
OF  
TADEUSZ SKOWRON, M.D.  
CO-05-03-1311-A

COMMISSIONER'S  
SUMMARY  
ORDER AND  
NOTICE OF  
REFERRAL  
PROCEEDING

TO: TADEUSZ SKOWRON, M.D.  
Horodniany 55  
16-001 Bialystok-Kleosin  
Poland

t.skowron@snet.net

The undersigned, Dennis P. Whalen, Executive Deputy Commissioner of the New York State Department of Health, after an investigation, upon the recommendation of a committee on professional medical conduct of the State Board for Professional Medical Conduct, and upon the Statement of Charges attached, hereto, and made a part hereof, has determined that **TADEUSZ SKOWRON, M.D.**, Respondent, licensed to practice medicine in New York state on May 15, 1987, by license number 170129, has been found guilty, based on a plea of guilty, of committing an act constituting a felony under federal law, in the United States District Court, District of Connecticut.

It is therefore,

ORDERED, pursuant to New York Public Health Law Section 230(12)(b), that effective immediately, **TADEUSZ SKOWRON, M.D.**, Respondent, shall not practice medicine in the State of New York or in any other jurisdiction where that practice is dependent on a valid New York State license to practice medicine. This order shall remain in effect unless modified or vacated by the Commissioner of Health pursuant to New York Public Health Law Section 230(12).

PLEASE TAKE NOTICE that a hearing will be held pursuant to the provisions of New York Public Health Law Section 230, and New York State Administrative Procedure Act Sections 301-307 and 401. The hearing will be conducted before a committee on professional conduct of the State Board of Professional Medical Conduct, on the 19<sup>th</sup> day of January, 2006 at 10:00 am in the forenoon at Hedley Park Place, 433 River Street, 5<sup>th</sup> Floor, Troy, New York 12180. The Respondent may file an answer to the Statement of Charges with the below-named attorney for the Department of Health.

At the hearing, evidence will be received concerning the allegations set forth in the Statement of Charges, that is attached. A stenographic record of the hearing will be made and the witnesses at the hearing will be sworn and examined. The Respondent shall appear in person at the hearing and may be represented by counsel. The Respondent has the right to produce witnesses and evidence on his behalf, to issue or have subpoenas issued on his behalf for the production of witnesses and documents. Such evidence or sworn testimony shall be strictly limited to evidence and testimony relating to the nature and severity of the penalty to be imposed upon the licensee. Where the charges are based on the conviction of state law crimes in other jurisdictions, evidence may be offered that would show that the conviction would not be a crime in New York state. The Committee also may limit the number of witnesses whose testimony will be received, as well as the length of time any witness will be permitted to testify. Respondent has the right cross-examine witnesses and examine evidence produced against him. A summary of the Department of Health Hearing Rules is enclosed. Pursuant to Section 301(5) of the State Administrative Procedure Act, the Department, upon reasonable notice, will provide at no charge, a qualified interpreter of the deaf to interpret the proceedings to, and the testimony of, any deaf person.

The hearing will proceed whether or not the Respondent appears at the hearing. Scheduled hearing dates are considered dates certain and, therefore, adjournment requests are not routinely granted. Requests for adjournments must be made in writing to the Administrative Law Judge's Office, Hedley Park Place, 433 River Street, 5<sup>th</sup> Floor, Troy, New York 12180 (518-402-0751), upon notice to the attorney for the Department of Health whose name appears below, and at least five days prior to the scheduled hearing date. Claims of court engagement will require detailed affidavits of actual engagement. Claims of illness will require medical documentation.

At the conclusion of the hearing, the committee shall make findings of fact, conclusions concerning the charges sustained or dismissed, and, in the event that any of the charges are sustained, a determination of the penalty or sanction to be imposed or appropriate action to be taken. Such determination may be reviewed by the Administrative Review Board for Professional Medical Conduct.

**THESE PROCEEDINGS MAY RESULT IN A  
DETERMINATION THAT YOUR LICENSE TO  
PRACTICE MEDICINE IN NEW YORK STATE BE  
REVOKED OR SUSPENDED, AND/OR THAT  
YOU MAY BE FINED OR SUBJECT TO OTHER  
SANCTIONS SET FORTH IN NEW YORK PUBLIC  
HEALTH LAW SECTION 230-A. YOU ARE  
URGED TO OBTAIN AN ATTORNEY FOR THIS  
MATTER.**

DATED: Albany, New York

12.21.2005

  
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DENNIS P. WHALEN  
Executive Deputy Commissioner

Inquires should be addressed to:

Robert Bogan  
Associate Counsel  
Office of Professional Medical Conduct  
433 River Street - Suite 303  
Troy, New York 12180  
(518) 402-0828

IN THE MATTER  
OF  
TADEUSZ SKOWRON, M.D.  
CO-05-03-1311-A

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STATEMENT  
OF  
CHARGES

**TADEUSZ SKOWRON, M.D.**, the Respondent, was authorized to practice medicine in New York state on May 15, 1987, by the issuance of license number 170129 by the New York State Education Department.

**FACTUAL ALLEGATIONS**

A. On or about February 15, 2005, the State of Connecticut, Connecticut Medical Examining Board, (hereinafter "Connecticut Board"), by a Memorandum of Decision, (hereinafter "Connecticut Order"), revoked Respondent's license to practice medicine, based on failure to meet the applicable standard of care, in that he failed to appropriately evaluate and test 10 patients' conditions which constituted incompetence and negligent conduct in the practice of medicine. The Connecticut Board also found that Respondent demonstrated a troubling inability to learn from his mistakes and an unwillingness to change the way he practices medicine. The Connecticut Board is also concerned that several of the current violations are similar to the violations that served as the basis for previous imposition of discipline by the Board against Respondent, and that the current violations occurred while Respondent was being monitored by another physician pursuant to the discipline imposed by a previous decision. The Connecticut Board found that Respondent's continued practice of medicine poses a danger to the public and that his license should be revoked.

B. On or about October 20, 2005, in the United States District Court, District of Connecticut, Respondent was found guilty, based on a plea of guilty, of Health Care Fraud, in violation of 8 USC §1347(1), a felony, and was sentenced to imprisonment time served, three (3) years supervised release upon release from imprisonment subject to special conditions, and to pay \$5,132.28 restitution, a \$1,000.00 fine, and a \$100.00 special assessment.

C. The conduct resulting in the Connecticut 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(4) (gross negligence);
3. New York Education Law §6530(5) (incompetence on more than one occasion);

and/or

4. New York Education Law §6530 (6) (gross incompetence).

### **SPECIFICATIONS**

#### **FIRST SPECIFICATION**

Respondent violated New York Education Law §6530(9)(a)(ii) by having been convicted of committing an act constituting a crime under federal law, in that Petitioner charges:

1. The facts in Paragraph A.

#### **SECOND SPECIFICATION**

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 and/or C.

#### **THIRD SPECIFICATION**

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 of New York state, in that Petitioner charges:

3. The facts in Paragraphs A and/or C.

DATED: *Dec. 21*, 2005  
Albany, New York

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