



New York State Board for Professional Medical Conduct

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

Antonia C. Novello, M.D., M.P.H., Dr. P.H.
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NYS Department of Health*

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NYS Department of Health*

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Office of Professional Medical Conduct

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Vice Chair

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

PUBLIC

October 29, 2002

CERTIFIED MAIL-RETURN RECEIPT REQUESTED

Muhammad Butt, M.D.
834 Forest Hill Avenue
Grand Rapids, MI 49546

RE: License No. 116959

Dear Dr. Butt:

Enclosed please find Order #BPMC 02-336 of the New York State Board for Professional Medical Conduct. This Order and any penalty provided therein goes into effect October 29, 2002.

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 to Board for Professional Medical Conduct, New York State Department of Health, Hedley Park Place, Suite 303, 433 River Street, Troy, New York 12180.

Sincerely,

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

Executive Secretary

Board for Professional Medical Conduct

Enclosure

cc: R. Jay Hardin, Esq
Smith, Haughey, Rice and Roegge
100 City Center Plaza
202 E. State Street
Traverse City, MI 49684

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

IN THE MATTER
OF
MUHAMMAD BUTT, M.D.
CO-02-07-3554-A

SURRENDER
ORDER

MUHAMMAD BUTT, M.D., says:

On or about August 2, 1973, I was licensed to practice medicine as a physician in the State of New York having been issued License No. 116959 by the New York State Education Department. I currently reside at 832 Forest Hill Avenue, Grand Rapids, Michigan 49546.

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 the New York State Board for Professional Medical Conduct has charged me with four (4) specifications of professional misconduct as set forth in the Statement of Charges, annexed hereto, made a part hereof, and marked as Exhibit "A."

I have not practiced medicine in New York State since 1969 and I do not intend to return to practice medicine in New York State. I, therefore, am applying to the State Board for Professional Medical Conduct for an agreement to allow me to surrender my license as a physician in the State of New York and request that the Board issue this Surrender Order.

I hereby agree not to contest Factual Allegations A, B, C, and D(3) and the four (4) specifications set forth in the Statement of Charges (Exhibit A).

I understand that, in the event that this proposed agreement 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 proposed agreement 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 Board grants my Application, as set forth herein, an order of the Chairperson of the Board shall be issued in accordance with same upon issuance by the Board, which may be accomplished by mailing, by first class mail, a copy of the Order to me at the address set forth above, or to my attorney, or upon transmission via facsimile to me or my attorney, whichever is first.

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

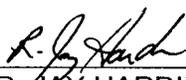
Date: 10.17., 2002



MUHAMMED BUTT, M.D.
Respondent

AGREED TO:

Date: Oct 14, 2002



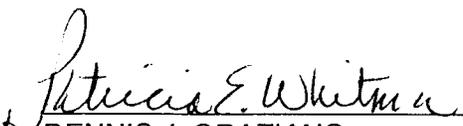
R. JAY HARDIN, ESQ.
Attorney for Respondent

Date: 18 October, 2002



ROBERT BOGAN
Associate Counsel
Bureau of Professional Medical
Conduct

Date: 10/24, 2002



DENNIS J. GRAZIANO
Director, Office of Professional
Medical Conduct

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

**N THE MATTER
OF
MOHAMMAD BUTT, M.D.
CO-02-07-3554-A**

**STATEMENT
OF
CHARGES**

MOHAMMAD BUTT, M.D., the Respondent, was authorized to practice medicine in New York state on August 2, 1973, by the issuance of license number 116959 by the New York State Education Department.

FACTUAL ALLEGATIONS

A. On or about ^{September 13} ~~July 16~~, 1996, the State of Michigan, Department of Consumer & Industry Services, Bureau of Occupational Professions Regulation, Board of Medicine, Disciplinary Subcommittee (hereinafter "Michigan Board"), by a Consent Agreement (hereinafter "Michigan Order I"), Reprimanded Respondent, based on conduct which impairs or may impair Respondent's ability to safely and skillfully practice medicine.

B. On or about May 2, 2002, the Michigan Board, by an Order of Summary Suspension (hereinafter "Michigan Order II"), Summarily Suspended Respondent's license to practice medicine, based on a finding that the public health, safety, or welfare requires emergency action.

C. On or about August 21, 2002, the Michigan Board, by a Consent Order (hereinafter "Michigan Order III"), dissolved the May 2, 2002, Order of Summary Suspension, described in Paragraph B above, and SUSPENDED Respondent's license to practice medicine for a minimum period of six (6) months and one (1) day, based on suffering from a mental or physical inability related to and adversely affecting Respondent's ability to practice in a safe and competent manner.

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(2) (practicing the profession beyond its authorized scope);
2. New York Education Law §6530(7) (practicing the profession while impaired by physical disability or mental disability);
3. New York Education Law §6530(8) (having a psychiatric condition which impairs the ability to practice medicine);
4. New York Education Law §6530(20) (moral unfitness);
5. New York Education Law §6530(23) (revealing of personally identifiable facts, data, or information obtained in a professional capacity without the prior consent of the patient); and/or
6. New York Education Law §6530(31) (intimidating a patient verbally).

SPECIFICATIONS

FIRST AND SECOND 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:

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

THIRD AND FOURTH SPECIFICATIONS

Respondent violated New York Education Law §6530(9)(d) by having his license to practice medicine suspended or having other disciplinary action taken by a duly authorized

professional disciplinary agency of another state, where the conduct resulting in the suspension or other disciplinary action would, if committed in New York state, constitute professional misconduct under the laws New York state, in that Petitioner charges:

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

DATED: *Sept. 16*, 2002
Albany, New York


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

ORDER

Upon the proposed agreement of **MUHAMMED BUTT, M.D.**, to Surrender his license as a physician in the State of New York, which proposed agreement is made a part hereof, it is AGREED TO and

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

ORDERED, that the name of the Respondent be stricken from the roster of physicians in the State of New York; it is further

ORDERED, that this Order shall be effective upon issuance by the Board, which may be accomplished by mailing, by first class mail, a copy to Respondent at the addresses set forth in this agreement, or to Respondent's attorney, or upon transmission via facsimile to Respondent or Respondent's attorney, whichever is earliest.

DATED: 10/28, 2002



WILLIAM P. DILLON, M.D.
Chair
State Board for Professional
Medical Conduct