



**Board for Professional Medical Conduct**

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

Barbara A. DeBuono, M.D., M.P.H.  
Commissioner

C. Maynard Guest, M.D.  
Executive Secretary

May 24, 1995

**CERTIFIED MAIL - RETURN RECEIPT REQUESTED**

Donald B. Leszczynski, M.D.  
74 Country Downs Circle  
Fairport, New York 11450

RE: License No. 175420

EFFECTIVE DATE: 05/31/95

Dear Dr. Leszczynski:

Enclosed please find Order #BPMC 95-106 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: Richard T. Yarmel, Esq.  
Nixon, Hargrave, Devons & Doyle  
Clinton Square  
P.O. Box 1051  
Rochester, New York 14603

Kevin Roe, Esq.

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

-----X

IN THE MATTER :  
OF : ORDER  
DONALD BRIAN LESZCZYNSKI, M.D. : BPMC #95-106

-----X

Upon the application of DONALD BRIAN LESZCZYNSKI, M.D.  
(Respondent) for Consent Order, which application is made a part  
hereof, it is

ORDERED, that the application and the provisions thereof are  
hereby adopted 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 by certified mail, whichever is  
earliest.

SO ORDERED,

DATED: 19 May 1995

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

-----X  
IN THE MATTER : APPLICATION  
OF : FOR  
DONALD BRIAN LESZCZYNSKI, M.D. : CONSENT  
: ORDER  
-----X

STATE OF NEW YORK )  
COUNTY OF MONROE ) ss.:

DONALD BRIAN LESZCZYNSKI, M.D., being duly sworn, deposes and says:

That on or about July 25, 1988, I was authorized to practice as a physician in the State of New York, having been issued license number 175420 by the New York State Education Department.

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

A copy of the Statement of Charges is annexed hereto, made a part hereof, and marked as Exhibit A.

I admit guilt to the specification in full satisfaction of the charges against me.

I hereby agree to the penalty that my license be suspended for six months and placed on probation for three years under terms and conditions annexed hereto, made part hereof, and marked as Exhibit B.

I hereby make this application to the Board for and request

that it be granted.

I understand that, in the event that this 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 or license restoration 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, as set forth herein, an order of the Chairperson of the Board shall be issued in accordance with same.

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



DONALD BRIAN LESZCZYNSKI, M.D.  
RESPONDENT

Sworn to before me this

9<sup>th</sup> day of May, 1995  
  
NOTARY PUBLIC

**ANNE D. BLANK**  
Notary Public, State of New York  
Qualified in Monroe County  
Commission Expires June 15, 1995

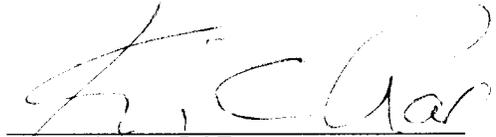
STATE OF NEW YORK : DEPARTMENT OF HEALTH  
STATE BOARD FOR PROFESSIONAL MEDICAL CONDUCT

-----X  
IN THE MATTER : APPLICATION  
OF : FOR  
DONALD BRIAN LESZCZYNSKI, M.D. : CONSENT  
: ORDER  
-----X

The undersigned agree to the attached application of the Respondent and to the proposed penalty based on the terms and conditions thereof.

DATE: May 9, 1995   
DONALD BRIAN LESZCZYNSKI, M.D.  
RESPONDENT

DATE: May 9, 1995   
RICHARD YARNEL, ESQ.  
ATTORNEY FOR RESPONDENT

DATE: May 11, 1995   
KEVIN C. ROE  
ASSOCIATE COUNSEL  
BUREAU OF PROFESSIONAL  
MEDICAL CONDUCT

DATE: May 16, 1995

*for Anne Saice*  
KATHLEEN M. TANNER  
DIRECTOR  
Office of Professional Medical  
Conduct

DATE: 19 May 1995

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

**EXHIBIT A**

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

-----X

IN THE MATTER : STATEMENT  
OF : OF  
DONALD BRIAN LESZCZYNSKI, M.D. : CHARGES

-----X

DONALD BRIAN LESZCZYNSKI, M.D., the Respondent, was authorized to practice medicine in New York State on July 25, 1988 by the issuance of license number 175420 by the New York State Education Department.

**FACTUAL ALLEGATIONS**

A. On or about February 7, 1995, Respondent was convicted of one count of Criminal Possession of a Forged Instrument in the Second Degree in violation of §170.25 of the Penal Law of the State of New York in Supreme Court for the County of Monroe. Respondent was sentenced to five years probation and ordered to make restitution in the amount of \$12,432.05.



EXHIBIT B

TERMS OF PROBATION

1. DONALD BRIAN LESZCZYNSKI, M.D, during the period of probation, shall conduct himself in all ways in a manner befitting his professional status, and shall conform fully to the moral and professional standards of conduct imposed by law and by his profession.
2. Respondent shall submit written notification to the New York State Department of Health (NYSDOH), addressed to the Director, Office of Professional Medical Conduct, New York State Department of Health, Corning Tower Building, 4th Floor, Empire State Plaza, Albany, New York 12237 of any employment and practice, of Respondent's residence and telephone number, of any change in Respondent's employment, practice, residence, or telephone number within or without the State of New York.
3. Respondent shall submit written proof from the Division of Professional Licensing Services (DPLS), New York State Education Department (NYSED), that Respondent has paid all registration fees due and owing to the NYSED. Respondent shall cooperate with and submit whatever papers are requested by DPLS in regard to said registration fees. Said proof from DPLS shall be submitted by Respondent to the NYSDOH, addressed to the Director, Office of Professional Medical Conduct, as aforesaid, no later than the first three months of the period of probation during which registration is active.
4. Respondent shall submit written proof to NYSDOH, addressed to the Director, Office of Professional Medical Conduct, as aforesaid, that 1) Respondent is currently registered with the NYSED, unless Respondent submits written proof that Respondent has advised DPLS, NYSED, that Respondent is not engaging in the practice of his profession in the State of New York and does not desire to register, and that 2) Respondent has paid any fines which may have previously been imposed upon Respondent by the Board. Proof of the above to be submitted no later than the first two months of the period of probation.
5. Respondent shall comply with all terms, conditions, restrictions, and penalties to which he is subject pursuant to the order of the Board.
6. During the first six months of the period of probation, Respondent's license shall be actively suspended and he shall not practice his profession.
7. So long as there is full compliance with every term herein set forth, Respondent may continue to practice his

profession in accordance with the terms of probation; provided, however, that upon receipt of evidence of noncompliance with, or any violation of these terms, the Director of the Office of Professional Medical Conduct and/or the Board may initiate a violation of probation proceeding and/or such other proceeding against Respondent as may be authorized pursuant to the Public Health Law.