



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

New York State Board for Professional Medical Conduct

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

Charles J. Vacanti, M.D.
Chair

June 27, 1996

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

Stephen Ruskin, M.D.
22 Coachlight Drive
Chatam, New Jersey 07928

RE: License No. 174442

Dear Dr. Ruskin:

Effective Date: 07/04/96

Enclosed please find Order #BPMC 96-150 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,

Charles Vacanti, M.D.
Chair
Board for Professional Medical Conduct

ENCLOSURE

cc: Wilfred Friedman, Esq.
598 Madison Avenue
New York, New York 10022

Roy Nemerson, Esq.

NEW YORK STATE DEPARTMENT OF HEALTH 28

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

IN THE MATTER
OF
STEPHEN RUSKIN, M.D.

CONSENT

ORDER

BPMC #96-150

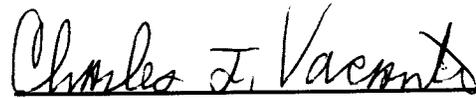
Upon the application of STEPHEN RUSKIN, M.D. (Respondent) for Consent Order, which application is made a part hereof, it is

ORDERED, that the application and the provisions thereof are hereby adopted and so ORDERED, 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: 24 June 1996



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
STEPHEN RUSKIN, M.D.

APPLICATION
FOR
CONSENT ORDER

STATE OF ~~NEW YORK~~ ^{Georgia})
COUNTY OF ~~Clayton~~ ^{Clayton}) ss.:

STEPHEN RUSKIN, M.D., being duly sworn, deposes and says:

That on or about May 17, ¹⁹⁸⁸ ~~1984~~, I was licensed to practice as a physician in the State of New York, having been issued License No. 174442 by the New York State Education Department.

My current address is 22 Coachlight Drive, Chatam, NJ 07928 and I will advise the Director of the Office of Professional Medical Conduct of any change of my address.

I understand that the New York State Board for Professional Medical Conduct has charged me with four specifications of professional misconduct.

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

I do not contest the specifications and allegations contained in Exhibit "A", in full satisfaction of the charges against me. I hereby agree that my license to practice medicine in the State of New York shall be suspended for a period of one year, effective upon the service of the instant Consent Order, that said license shall also be limited, pursuant to New York Public Health Law §230-a(3) insofar as

I shall not be authorized to:

- Engage in the clinical practice of medicine;
- Engage in any direct patient contact, in the practice of medicine;
- Treat, prescribe for, or operate upon any patients.

Further, for a period of three years, beginning upon the conclusion of the one year period of suspension, I shall be placed on probation, subject to the terms set forth in Exhibit "B", attached.

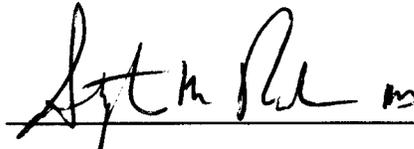
I hereby make this Application to the State Board for Professional Medical Conduct (the Board) and request that it be granted.

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; 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. In consideration of the value to me of the acceptance by the Board of this Application, allowing me to resolve this matter without the various risks and burdens of a hearing on the merits, I knowingly waive any right I may have to contest the Consent Order for

which I hereby apply, whether administratively or judicially, and ask that the Application be granted.



STEPHEN RUSKIN, M.D.
RESPONDENT

Sworn to before me this

13 day of *June*, 19*96*



NOTARY PUBLIC

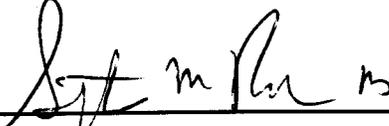
Notary Public Guinnett County, Georgia
My Commission Expires Sept. 19, 1998

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

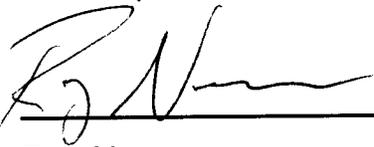
IN THE MATTER
OF
STEPHEN RUSKIN, M.D.

APPLICATION
FOR
CONSENT ORDER

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

DATE: 6/13/96 
STEPHEN RUSKIN, M.D.
Respondent

DATE: June 15, 1996 
WILFRED FRIEDMAN, ESQ.
Attorney for Respondent

DATE: June 17, 1996 
Roy Nemerson
Deputy Counsel
Bureau of Professional
Medical Conduct

DATE: June 21, 1996

Anne Saile

ANNE F. SAILE
Acting Director
Office of Professional Medical
Conduct

DATE: 24 June 1996

Charles J. Vacanti

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

EXHIBIT A

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

IN THE MATTER
OF
STEPHEN RUSKIN, M.D.

STATEMENT
OF
CHARGES

STEPHEN RUSKIN, M.D., the Respondent, was authorized to practice medicine in New York State on or about May 17, ~~1981~~¹⁹⁸⁸, by the issuance of license number 174442 by the New York State Education Department.

FACTUAL ALLEGATIONS

- A. On or about June 8, 1995, Respondent contacted Patient A, then a twenty year old individual who had been Respondent's patient for approximately 5 years, and instructed the patient to return to Respondent's medical office.
1. In the course of purported medical care, but not for a proper medical purpose, Respondent inappropriately engaged in speech, conduct, and physical contact, all of a sexual nature, with Patient A.
 2. Respondent on this occasion, previously, and subsequently was impaired for the practice of medicine by, *Inter alia*, substance abuse including the abuse of alcohol and ethyl chloride.

SPECIFICATION OF CHARGES

FIRST SPECIFICATION

PRACTICING WHILE IMPAIRED

Respondent is charged with committing professional misconduct as defined in N.Y. Educ. Law §6509(7)(McKinney Supp. 1996) by practicing the profession while impaired by alcohol, drugs, physical disability, or mental disability as alleged in the facts of the following:

1. Paragraphs A and A2.

SECOND SPECIFICATION

BEING AN HABITUAL USER OR HAVING A PSYCHIATRIC CONDITION WHICH IMPAIRS THE ABILITY TO PRACTICE

Respondent is charged with committing professional misconduct as defined in N.Y. Educ. Law §6530(8)(McKinney Supp. 1996) by being a habitual user of alcohol, or being dependent on or a habitual user of narcotics, barbiturates, amphetamines, hallucinogens, or other drugs having similar effects, or having a psychiatric condition which impairs the licensee's ability to practice as alleged in the facts of the following:

2. Paragraphs A and A2.

THIRD SPECIFICATION

MORAL UNFITNESS

Respondent is charged with committing professional misconduct as defined in N.Y. Educ. Law §6530(20)(McKinney Supp. 1996) by engaging in conduct in the practice of the profession of medicine that evidences moral unfitness to practice as alleged in the facts of the following:

3. Paragraphs A and A1 and/or A2.

FOURTH SPECIFICATION

FRAUDULENT PRACTICE

Respondent is charged with committing professional misconduct as defined by N.Y. Educ. Law §6530(2)(McKinney Supp. 1996) by practicing the profession of medicine fraudulently as alleged in the facts of the following:

4. Paragraphs A and A1.

DATED: May , 1996
New York, New York

ROY NEMERSON
Deputy Counsel
Bureau of Professional
Medical Conduct

EXHIBIT "B"
TERMS OF PROBATION

1. STEPHEN RUSKIN, M.D., during the period of probation, shall conduct himself/herself in all ways in a manner befitting his/her professional status, and shall conform fully to the moral and professional standards of conduct imposed by law and by his/her 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, and 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 and Respondent shall cooperate with and submit whatever papers are requested by DPLS in regard to said registration fees, said proof from DPLS to be submitted by Respondent to the New York State Department of Health, addressed to the Director, Office of Professional Medical Conduct, as aforesaid, within the first three months of the period of probation;
4. Respondent shall submit written proof to the 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 Respondent's 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 or by the Board of Regents; said 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 and shall assume and bear all costs related to compliance with the Terms of Probation;
6. Respondent shall comply with the monitoring and therapy requirements set forth in Exhibit "C," attached hereto and made a part hereof.
7. Any civil penalty not paid by the date prescribed herein shall be subject to all provisions of law relating to debt collection by the State of New York. This includes but is not limited to the imposition of interest, late payment charges and collection fees; referral to the New York State Department of Taxation and Finance for collection; and non renewal of permits or licenses (Tax Law §171(27); State Finance Law §18; CPLR §5001; Executive Law §32);

8. So long as there is full compliance with every term herein set forth, Respondent may continue to practice his or her aforementioned 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.
9. Respondent, during the period of probation, shall limit his practice of medicine, *regardless of location*, in the manner that his practice of medicine in the State of New York has been limited pursuant the instant consent order and to NY Public Health Law §230-a.

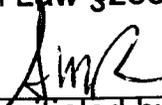

to be initialed by Respondent

EXHIBIT C

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

IN THE MATTER
OF
STEPHEN RUSKIN, M.D.

AT ALL TIMES DURING THE PERIOD OF PROBATION RESPONDENT SHALL:

- a. Remain drug and alcohol free.
- b. Assure that his being drug and alcohol free will be monitored by, a health care professional ("monitor") approved by the Director of the Office of Professional Medical Conduct (OPMC) or a successor monitor who must be approved by the Director of OPMC.
- c. At the request of his monitor, submit to random, unannounced, observed blood and/or urine screens for the presence of alcohol or drugs. Respondent shall cause his monitor to submit in writing to the Director of OPMC the results of those screens. The minimum frequency of the screens shall be twice weekly for the first six months and then at a frequency set at the discretion of the monitor with the prior approval of the Director of the Office of Professional Medical Conduct.
- e. Assure that Respondent's monitor submits written quarterly reports regarding his condition and any information regarding Respondent's medical practice to the Director of OPMC and notifies the Director within 24 hours of: (1) any refusal by Respondent to submit to screens; (ii) any positive test result; (iii) any information obtained about his ingestion of alcohol or drugs; or (iv) any adverse change in his condition or practice.
- f. Continue in therapy with a licensed health care professional licensed ("therapist") approved by the Director of OPMC, for as long as the health care professional determines it is necessary. Any subsequent therapist must also be approved by the Director of OPMC. At such time as his therapist determines that treatment is no longer necessary, his therapist shall so notify the Director of OPMC in writing.

- g. Assure that his therapist submits to the Director of OPMC written quarterly reports certifying that he is complying with treatment. His therapist shall report to the Director of OPMC, within 24 hours, any discontinuance by him of treatment or any significant pattern of absences from scheduled treatment sessions.
- h. Continue in an aftercare treatment program such as Caduceus or a similar program during the period of probation.
- i. Inform all treating physicians or other health care practitioners of his history of chemical dependency. In the event he is ever prescribed controlled substances, he shall notify his monitor and the Director of OPMC before such medications are administered. If, during emergency medical treatment, controlled substances are administered to him without prior notice to his monitor and to the Director of OPMC, he shall provide notice to those individuals at the earliest opportunity. He shall not self-prescribe any medications.
- j. Respondent shall execute and provide the Director of OPMC all documentation and authorizations necessary to effectuate the terms set forth above.
- k. Respondent shall immediately notify the Director of OPMC, in writing, of any change in his residence and any proposed change in his employment. He shall not begin any new employment within the State of New York until he has obtained the approval of the Director. It is a condition of any new employment that the monitoring required by this Agreement shall remain in effect and not be interrupted or interfered with in any way.