



New York State Board for Professional Medical Conduct

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

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

Patrick F. Carone, M.D., M.P.H.
Chair
Ansel R. Marks, M.D., J.D.
Executive Secretary

May 14, 1997

CERTIFIED MAIL-RETURN RECEIPT REQUESTED

Irving Robinson, M.D.
79 Westbury Lane
Palm Coast, FL 32164

RE: License No. 133992

Dear Dr. Robinson:

Enclosed please find Order #BPMC 97-111 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
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: Marcia E. Kaplan, Esq.

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

IN THE MATTER
OF
IRVING ROBINSON, M.D.

SURRENDER
ORDER
BPMC #97-111

Upon the proposed agreement of IRVING ROBINSON, M.D. (Respondent) 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 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 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: May 12, 1997


PATRICK F. CARONE, M.D., M.P.H.
Chairperson
State Board for Professional
Medical Conduct

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

IN THE MATTER
OF
IRVING ROBINSON, M.D.

SURRENDER
OF
LICENSE

STATE OF FLORIDA)

ss.:

COUNTY OF)

IRVING ROBINSON, M.D., being duly sworn, deposes and says:

On or about March 24, 1978, I was licensed to practice medicine as a physician in the State of New York having been issued License No. 133992 by the New York State Education Department.

My current address is 79 Westbury Lane, Palm Coast, FL 32164 , and I will advise the Director of the Office of Professional Medical Conduct of any change of my address.

I understand that I have been charged with three specifications 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 for permission to surrender my license as a physician in the State of New York on the grounds that I do not contest the Third Specification in full satisfaction of the Statement of Charges.

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

I understand that, in the event that the application 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 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 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 State Board for Professional Medical Conduct grants my application, an order shall be issued striking my name from the roster of physicians in the State of New York without further notice 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. 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 Surrender Order for which I hereby apply, whether administratively or judicially, and ask that the Application be granted.

Irving W. Robinson M.D.
IRVING ROBINSON, M.D.
RESPONDENT
RB 49-41-325-0
FL DRIVERS LIC

Sworn to before me this

1 day of MAY, 1997

Stephanie M. Bernhard
NOTARY PUBLIC



STEPHANIE M. BERNHARD
COMMISSION # CC420330
EXPIRES NOV. 14, 1998
ALAN NOTARY SERVICE
1-800-486-0040

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

Date: 5/1/97

Gregory W. Robinson III
Esq.
Attorney for Respondent

Date: 5/2/97

Marcia E. Kaplan
MARCIA E. KAPLAN
Associate Counsel
Bureau of Professional
Medical Conduct

Date: 5/6/97

Anne Saile
ANNE F. SAILE
Director
Office of Professional Medical Conduct

IN THE MATTER
OF
IRVING ROBINSON, M.D.

STATEMENT
OF
CHARGES

IRVING ROBINSON, M.D., the Respondent, was authorized to practice medicine in New York State on or about March 24, 1978, by the issuance of license number 133992 by the New York State Education Department.

FACTUAL ALLEGATIONS

- A. Respondent failed to give appropriate pre-operative therapy to Patient A prior to a myomectomy performed at St. Luke's\Roosevelt Hospital Center, West 59th St., New York, N.Y. on or about December 11, 1989.
- B. On or about September 9, 1994, at St. Luke's\Roosevelt Hospital Center, Respondent performed a total abdominal hysterectomy on Patient B for stage 1 endometrial carcinoma .
1. Respondent performed a small transverse abdominal incision which was inappropriate for this known endometrial cancer.
 2. Respondent failed to perform lymph node sampling.
 3. Respondent failed to properly identify the left ureter.
 4. Respondent performed the surgery inappropriately, thereby causing a uretero-vaginal fistula.

- C. On or about January 21, 1994, at St. Luke's\Roosevelt Hospital Center, Respondent performed a sub-total hysterectomy and left ovarian cystectomy on Patient C inappropriately, thereby transecting Patient C's left ureter.

- D. On or about December 19, 1994, Respondent admitted Patient D to St. Lukes\Roosevelt Hospital Center. Respondent delayed inappropriately in performing a cesarean section on Patient D until on or about December 20, 1994, which resulted in neonatal depression and aggravated the neonate's meconium aspiration.

- E. In or about August 1995, Respondent abandoned hundreds of his patient records at or about a building located at 36 West 60th Street, New York, N.Y., without making adequate provision for maintaining them.

SPECIFICATION OF CHARGES

FIRST SPECIFICATION

NEGLIGENCE ON MORE THAN ONE OCCASION

Respondent is charged with committing professional misconduct as defined in N.Y. Educ. Law §6530(3)(McKinney Supp. 1997) by practicing the profession of medicine with negligence on more than one occasion as alleged in the facts of two or more of the following:

1. Paragraphs A, B and B.1, B.2, B.3 and/or B.4, C, D and/or E.

SECOND SPECIFICATION

INCOMPETENCE ON MORE THAN ONE OCCASION

Respondent is charged with committing professional misconduct as defined in N.Y. Educ. Law §6530(5)(McKinney Supp. 1997) by practicing the profession of medicine with incompetence on more than one occasion as alleged in the facts of two or more of the following:

2. Paragraphs A, B and B.1, B.2, B.3 and/or B.4, C, D and/or E.

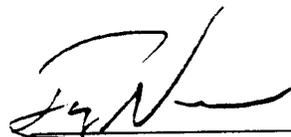
THIRD SPECIFICATION

FAILURE TO MAINTAIN RECORDS

Respondent is charged with committing professional misconduct as defined in N.Y. Educ. Law §(32)(McKinney Supp. 1997) by failing to maintain a record for each patient which accurately reflects the care and treatment of the patient, as alleged in the facts of:

3. Paragraph E.

DATED: February 27, 1997
New York, New York



ROY NEMERSON
Deputy Counsel
Bureau of Professional
Medical Conduct