



Board for Professional Medical Conduct

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

Mark R. Chassin, M.D., M.P.P., M.P.H.
Commissioner

C. Maynard Guest, M.D.
Executive Secretary

October 6, 1993

CERTIFIED MAIL-RETURN RECEIPT REQUESTED

David T. Wong, M.D.
133-38 41st Road
Suite 11
Flushing, New York 11355

RE: License No. 125359
Effective Date: 10/13/93

Dear Dr. Wong:

Enclosed please find Order #BPMC 93-160 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

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

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IN THE MATTER :
OF : ORDER
DAVID T. WONG, M.D. : BPMC # 93-160

-----X

Upon the Application of DAVID T. WONG, M.D.
(Respondent) to Surrender his or her license as a physician in
the State of New York, which application is made a part hereof,
it is

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 Respondent shall never apply for the
restoration of Respondent's license.

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: 30 September 1993

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

IN THE MATTER :

OF :

DAVID T. WONG, M.D. :

: APPLICATION TO

: SURRENDER

: LICENSE

STATE OF NEW YORK)

ss.:

COUNTY OF NEW YORK)

DAVID T. WONG, M.D., being duly sworn, deposes and says:

On or about August 15, 1975, I was licensed to practice as a physician in the State of New York having been issued License No. 125359 by the New York State Education Department.

I am registered with the New York State Education Department to practice as a physician in the State of New York for the period beginning on January 1, 1991, and ending on December 31, 1992. My registration address is 133-38 41st Road, Suite 1L, Flushing, New York 11355.

I understand that I have been charged with forty-nine specification(s) 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 admit guilt to the Sixth, Seventh, Eighth, Ninth, Thirty-Sixth, Thirty-Seventh, Thirty-Eighth and Thirty-Ninth specifications of professional misconduct set forth in the Statement of Charges. I also hereby permanently waive my right to seek reinstatement or restoration of my license to practice medicine in New York State at any time in the future.

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.

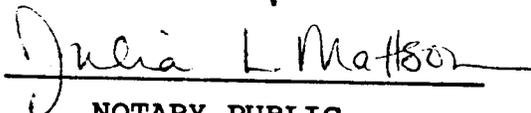
I agree that in the event the State Board for Professional Medical Conduct grants my application, an order shall be issued striking my name from the roster of physicians in the State of New York without further notice to me.

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



DAVID T. WONG, M.D.
Respondent

Sworn to before me this
9 day of September, 1993



NOTARY PUBLIC

JULIA L. MATTSON
Notary Public, State of New York
No. 30-501162
Qualified in Nassau County
Commission Expires April 2, 1995

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

IN THE MATTER

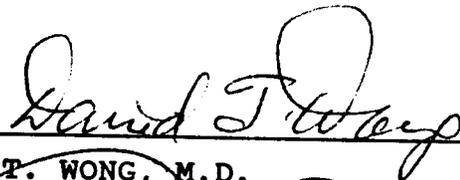
OF

DAVID T. WONG, M.D.

: APPLICATION
:
: TO SURRENDER
:
: LICENSE
:

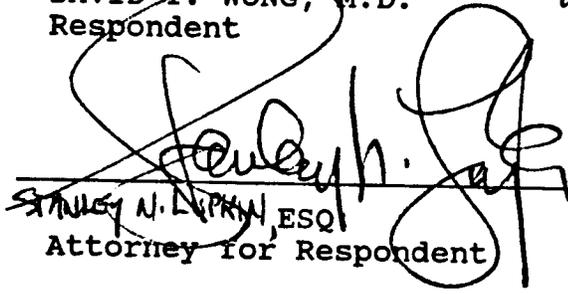
The undersigned agree to the attached application of the
Respondent to surrender his license.

Date: 9/9 , 1993



DAVID T. WONG, M.D.
Respondent

Date: 9/9 , 1993



STANLEY N. LIPKIN, ESQ.
Attorney for Respondent

Date: 9/15 , 1993



TERRENCE SHEEHAN
Associate Counsel
Bureau of Professional
Medical Conduct

Date: 08.5, 1993

Kathleen M. Tanner

KATHLEEN M. TANNER
Director, Office of Professional
Medical Conduct

Date: 30 September 1993

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 : STATEMENT
OF : OF
DAVID WONG, M.D. : CHARGES
-----X

DAVID WONG, M.D., the Respondent, was authorized to practice medicine in New York State on August 15, 1975 by the issuance of license number 125359 by the New York State Education Department. The Respondent is currently registered with the New York State Education Department to practice medicine for the period January 1, 1991 to December 31, 1992 at 133-38 41st Road, Suite 1L, Flushing, NY 11355.

FACTUAL ALLEGATIONS

- A. Between on or about October 7, 1991 and on or about October 12, 1991 Patient A, a twenty year-old male, was treated by Respondent for genital herpes at Respondent's office at 133-38 41st Road, Suite 1L, Flushing, NY 11355. (The name of Patient A together with the names of other patients is contained in the attached Appendix.)

Exhibit "A"

1. Respondent treated genital herpes with local excision and fulguration. This treatment was not medically indicated.
 2. Respondent knew that the treatment he rendered was not medically warranted.
- B. On or about July 19, 1992 Respondent treated Patient B, a 35 year-old male, at his office for penile discomfort.
1. Respondent made a diagnosis of condylomata which was not medically indicated.
 2. Respondent recommended that Patient B undergo a biopsy, electrodesiccation and cystourethroscopy. These procedures were not medically indicated.
 3. Respondent knew that the diagnosis he made and the treatment he recommended were not medically warranted.
 4. Respondent failed to maintain a medical record for Patient B which accurately reflects the patient history, examination, diagnosis and rationales for treatment.

C1 Between on or about February 2, 1992 and on or about March 3, 1992, Respondent treated Patient C, a 33 year-old male, at his office for purported urologic conditions.

1. Respondent examined Patient C's abdomen in a deliberately brutal manner.
2. Respondent performed a cystometrogram, a cystoscopy, ureteral catheterization and prostate massages which were not medically indicated.
3. Respondent made diagnoses of fibromyalgia, chronic prostatitis, epididymoorchitis necrotizing prostatitis, prostatic abscess hemorrhagic urethritis which were not medically indicated.
4. Respondent treated Patient C with IM Gentamycin. This medication was not indicated. In addition it was administered without renal evaluation and serum Gentamycin levels and in nontherapeutic dosages.

5. Respondent knew that the diagnoses he made and the treatment he prescribed were not medically warranted.
 6. Respondent failed to maintain a medical record for Patient C which accurately reflects the patient history, examination, diagnoses and rationales for treatment.
- D. Between on or about June 3, 1990 and on or about June 14, 1990 Respondent treated Patient D, a 77 year-old male, for bladder outlet obstruction at Flushing Hospital Medical Center, Parsons Blvd., Flushing, New York.
1. On or about June 4, 1990, Respondent performed a cystoscopy and transurethral resection of the prostate. Three hours later Patient D was returned to the operating room where Respondent performed a repeat cystoscopy, draining of blood clots and an insertion of a urethral catheter. During one of these procedures Respondent perforated the urinary bladder.
 2. On June 4, 1990 at 7:40 p.m., Patient D was admitted to the Post Anesthesia Care Unit

(PACU). The Patient's abdomen was hard, distended and tympanic to percussion.

3. On the morning of June 5, 1990, Respondent was informed of an absence of urinary output. The abdomen remained distended and hard. Respondent failed to perform an indicated cystogram.

4. On June 6, 1990, the chief surgical resident ordered a ^{KUB}~~chest~~ x-ray. Respondent failed to properly interpret this x-ray.

5. The Patient's clinical findings and the ^{KUB}~~chest~~ x-ray clearly indicated that the Patient had a massive pneumoperitoneum and required corrective surgery. Respondent failed to appreciate the need for corrective surgery. It was not until the chairman of the Department of Surgery and the Director of Urology insisted that the Patient be returned to the operating room that Respondent agreed to perform an exploratory laparotomy, repair of bladder perforation and suprapubic cystotomy.

E. Between on or about August 23, 1990 and on or about September 5, 1990, Respondent treated Patient E, a 58

year-old male, at his office for lower urinary tract symptoms.

1. Respondent made diagnoses of prostatic abscess and uretero-pyelitis which were not medically indicated.
2. On or about August 29, 1990, Respondent performed a cystoscopy which was not medically indicated.
3. On or about August 29, 1990, Respondent recommended that Patient E undergo a transurethral resection of the prostate which was not medically warranted.
4. Respondent failed to treat the Patient's kidney tumor.
5. Respondent knew that the diagnoses he made and the treatment he prescribed were not medically warranted.
6. Respondent failed to maintain a medical record for Patient E which accurately reflects the

patient history, examination, diagnoses and rationales for treatment.

F. Between on or about January 30, 1990 and on or about February 13, 1990, Respondent treated Patient F, a 44 year-old female, at his office for a complaint of left posterior back pain.

1. Respondent made medically unsupported diagnoses of chronic urinary tract infection, chronic cystitis, acontractile detrusor, uretero-pyelonephritis, polyneuritis and fibrositis, bilateral papillary necrosis of the kidney, ~~and candida vaginitis~~

→ withdrawn by Petitioner during hearing. (TS)

~~2. Respondent failed to diagnose a renal calculus~~

→ withdrawn by Petitioner during hearing. (TS)

3. Respondent performed a ureteral catheterization, cystometrogram and a vaginoscopy utilizing a cystoscope which were not medically indicated.

4. Respondent prescribed Garamycin which was not indicated.

5. Respondent knew that the diagnoses he made and the treatment he prescribed were not medically warranted.

6. Respondent failed to maintain a medical record for Patient F which accurately reflects the patient history, examination, diagnoses and rationales for treatment.

- G. Between on or about November 27, 1990 and on or about January 16, 1991, Respondent treated Patient G, a 58 year-old male, at his office for ejaculatory dysfunction.
 1. Respondent failed to evaluate Patient H's erectile and ejaculatory dysfunction.

 2. Respondent failed to order appropriate diagnostic studies including hormonal levels.

 3. Respondent made medically unsupported diagnoses of uretero-pyelonephritis, prostatic seminal vesiculitis and abscess, epididymo-orchitis, chronic renal failure and arteriosclerosis.

 4. Respondent performed a cystoscopy and prostatic massage which were not medically indicated.

5. Respondent knew that the diagnoses he made and the treatment he prescribed were not medically warranted.
 6. Respondent failed to maintain a medical record for Patient G which accurately reflects the patient history, examination diagnoses and rationales for treatment.
- H. On or about February 14, 1991, Respondent treated Patient H, a 50 year-old male at his office for a complaint of suprapubic pain.
1. Respondent made medically unsupported diagnoses of uretero-pyelonephritis, left epididymitis, vasitis, chronic cystitis and right testicular atrophy.
 2. Respondent recommended that the patient undergo a vasectomy which was not medically indicated.
 3. Respondent prescribed Doxycycline which was not indicated.

4. Respondent knew that the diagnoses he made and the treatment he prescribed were not medically warranted.
 5. Respondent failed to maintained a medical record for Patient H which accurately reflects the patient history, examination, diagnoses and rationales for treatment.
- I. Between on or about February 28, 1990 and on or about March 3, 1990, Respondent treated Patient I, a 26 year-old male, at his office for a complaint of back pain.
1. Respondent made medically unsupported diagnoses of uretero-pyelonephritis, epididymitis, prostatic abscess, acontractile bladder, cystourethritis, hepatitis and urinary tract infection.
 2. Respondent performed a cystoscopy, cysto and ureteral catheterization and cystometrogram which were not medically indicated.
 3. Respondent prescribed Garamycin, Noraxin and Trobicin which were not indicated.

4. Respondent knew that the diagnoses he made and the treatment he prescribed were not medically warranted.
 5. Respondent failed to maintain a medical record for Patient I which accurately reflects the patient history, examination, diagnoses and rationales for treatment.
- J. Between on or about October 23, 1992 and on or about October 28, 1992, Respondent treated Patient J, a 39 year-old male, at his office for a complaint of discomfort on urination.
1. Respondent made medically unsupported diagnoses of febrile prostatitis, epididymoorchitis, febrile uretero-pyelonephritis and benign prostatic hypertrophy.
 2. Respondent recommended a cystoscopy and prostatic massage which was not medically indicated.
 3. Respondent prescribed Garamycin which was not indicated.

4. Respondent knew that the diagnoses he made and the treatment he prescribed were not medically warranted.

5. Respondent failed to maintain a medical record for Patient J which accurately reflects the patient history, examination, diagnoses and rationales for treatment.

SPECIFICATIONS OF CHARGES

FIRST THROUGH TENTH SPECIFICATIONS

PRACTICING WITH GROSS NEGLIGENCE

Respondent is charged with practicing the profession with gross negligence under N.Y. Educ. Law Section 6530(4) (McKinney Supp. 1992), in that Petitioner charges:

1. The facts contained in paragraphs A and A.1 and A.2.
2. The facts contained in paragraphs B and B.1 through B.3.

3. The facts contained in paragraphs C and C.1 through C.5.
4. The facts contained in paragraphs D and D.1 through D.5.
5. The facts contained in paragraphs E and E.1 through E.5.
6. The facts contained in paragraphs F and F.1 through F.5.
7. The facts contained in paragraphs G and G.1 through G.5.
8. The facts contained in paragraphs H and H.1 through H.4.
9. The facts contained in paragraphs I and I.1 through I.4.
10. The facts contained in paragraphs J and J.1 through J.4.

ELEVENTH THROUGH TWENTIETH SPECIFICATIONS

PRACTICING WITH GROSS INCOMPETENCE

Respondent is charged with practicing the profession with gross incompetence under N.Y. Educ. Law Section 6530(6) (McKinney Supp. 1992), in that Petitioner charges:

11. The facts contained in paragraphs A and A.1 and A.2.
12. The facts contained in paragraphs B and B.1 through B.3.
13. The facts contained in paragraphs C and C.1 through C.5.
14. The facts contained in paragraphs D and D.1 through D.5.
15. The facts contained in paragraphs E and E.1 through E.5.
16. The facts contained in paragraphs F and F.1 through F.5.
17. The facts contained in paragraphs G and G.1 through G.5.

18. The facts contained in paragraphs H and H.1 through H.4.

19. The facts contained in paragraphs I and I.1 through I.4.

20. The facts contained in paragraphs J and J.1 through J.4.

TWENTY-FIRST SPECIFICATION

**PRACTICING WITH NEGLIGENCE
ON MORE THAN ONE OCCASION**

Respondent is charged with practicing the profession with negligence on more than one occasion under N.Y. Educ. Law Section 6530(3) (McKinney Supp. 1992) in that Petitioner charges two or more of the following:

21. The facts in Paragraphs A and A.1 and A.2, B and B.1 through B.3, C and C.1 through C.5, D and D.1 through D.5, E and E.1 through E.5, F, and F.1 through F.5 and/or G and G.1 through G.5, H and H.1 through H.4, I and I.1 through I.4 and/or J and J.1 through J.4.

TWENTY-SECOND SPECIFICATION

**PRACTICING WITH INCOMPETENCE
ON MORE THAN ONE OCCASION**

Respondent is charged with practicing the profession with incompetence on more than one occasion under N.Y. Educ. Law Section 6530(5) (McKinney Supp. 1992) in that Petitioner charges two or more of the following:

22. The facts in Paragraphs A and A.1 and A.2, B and B.1 through B.3, C and C.1 through C.5, D and D.1 through D.5, E and E.1 through E.5, F, and F.1 through F.5 and/or G and G.1 through G.5, H and H.1 through H.4, I and I.1 through I.4 and/or J and J.1 through J.4.

TWENTY-THIRD THROUGH THIRTY-FIRST SPECIFICATIONS

PRACTICING FRAUDULENTLY

Respondent is charged with practicing the profession fraudulently under N.Y. Educ. Law Section 6530(2) (McKinney Supp. 1992), in that Petitioner charges:

23. The facts contained in paragraphs A and A.1 and A.2.
24. The facts contained in paragraphs B and B.1 through B.3.
25. The facts contained in paragraphs C and C.1 through C.5.
26. The facts contained in paragraphs E and E.1 through E.5.
27. The facts contained in paragraphs F and F.1 through F.5.
28. The facts contained in paragraphs G and G.1 through G.5.
29. The facts contained in paragraphs H and H.1 through H.4.

30. The facts contained in paragraphs I and I.1 through I.4.

31. The facts contained in paragraphs J and J.1 through J.4.

THIRTY-SECOND THROUGH FORTIETH SPECIFICATIONS

**ORDERING EXCESSIVE
TESTS AND TREATMENT**

Respondent is charged with ordering excessive tests and treatment under N.Y. Educ. Law Section 6530(35) (McKinney Supp. 1992), in that Petitioner charges:

32. The facts contained in paragraphs A and A.1.

33. The facts contained in paragraphs B and B.2.

34. The facts contained in paragraphs C and C.2 and C.4.

35. The facts contained in paragraphs E and E.2 and E.3.

35. The facts contained in paragraphs F and F.3 and F.4.

37. The facts contained in paragraphs G and G.4.

38. The facts contained in paragraphs H and H.2 and H.3.

39. The facts contained in paragraphs I and I.2 and I.3.

40. The facts contained in paragraphs J and J.2 and J.3.

FORTY-FIRST THROUGH FORTY-EIGHTH SPECIFICATIONS

**FAILURE TO MAINTAIN
ADEQUATE RECORDS**

Respondent is charged with ordering excessive tests and treatment under N.Y. Educ. Law Section 6530(32) (McKinney Supp. 1992), in that he failed to maintain records for patients which accurately reflected his evaluation and treatment of the patients. Petitioner charges:

41. The facts contained in paragraphs B and B.4.
42. The facts contained in paragraphs C and C.6.
43. The facts contained in paragraphs E and E.6.
44. The facts contained in paragraphs F and F.6.
45. The facts contained in paragraphs G and G.6.
46. The facts contained in paragraphs H and H.5.
47. The facts contained in paragraphs I and I.5.
48. The facts contained in paragraphs J and J.5.

FORTY-NINTH SPECIFICATION

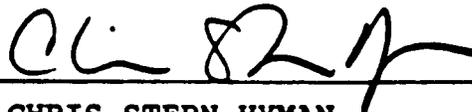
MORAL UNFITNESS

Respondent is charged with conduct in the practice of medicine which evidences moral unfitness to practice medicine under N.Y. Educ. Law Section 6530(20) (McKinney Supp. 1992) in that Petitioner charges:

49. The facts contained in paragraphs A and A.1 and A.2, B and B.1 through B.3, C and C.1 through C.5, E and E.1 through E.5, F and F.1 through F.5, G and G.1 through G.5, H and H.1 through H.4, I and I.1 through I.4 and/or J and J.1 through J.4.

DATED: New York, New York

December 24, 1992



CHRIS STERN HYMAN
Counsel
Bureau of Professional Medical
Conduct