



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.
*Commissioner
NYS Department of Health*

Dennis P. Whalen
*Executive Deputy Commissioner
NYS Department of Health*

Dennis J. Graziano, Director
Office of Professional Medical Conduct

William P. Dillon, M.D.
Chair

Michael A. Gonzalez, R.P.A.
Vice Chair

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

PUBLIC

June 10, 2003

CERTIFIED MAIL-RETURN RECEIPT REQUESTED

Annamaria Folkerts, R.P.A.
509 Tonewood Court
Graham, NC 27253

RE: License No. 006049

Dear Ms. Folkerts:

Enclosed please find Order #BPMC 03-144 of the New York State Board for Professional Medical Conduct. This Order and any penalty provided therein goes into effect June 17, 2003.

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

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

IN THE MATTER

OF

**ANNAMARIA MAZZIOTTI FOLKERTS, R.P.A.
CO-03-03-1261-A**

SURRENDER

ORDER

BPMC No. 03-144

ANNAMARIA MAZZIOTTI FOLKERTS, R.P.A., says:

On or about September 18, 1997, I was licensed to practice medicine as a Physician Assistant in the State of New York having been issued License No. 006049 by the New York State Education Department. I currently reside at 509 Tonewood Court, Graham, NC 27253.

I am not currently registered with the New York State Education Department to practice as a physician assistant in the State of New York.

I understand that the New York State Board for Professional Medical Conduct has charged me with six (6) 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 an agreement to allow me to surrender my license as a physician assistant in the State of New York and request that the Board issue this Surrender Order.

I, hereby, agree not to contest the six (6) specifications set forth in the Statement of Charges (Exhibit A).

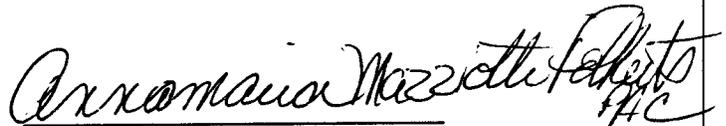
I understand that in the event that this proposed agreement is not granted by the State Board for Professional Medical Conduct, nothing contained herein shall be binding upon me or construed to be an admission of any act of misconduct alleged or charged against me, such proposed agreement shall not be 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 or manner.

Date: 5/26/03, 2003

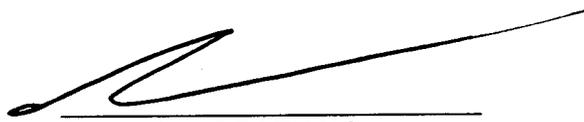

ANNAMARIA MAZZIOTTI FOLKERTS, R.P.A.
Respondent

AGREED TO:

Date: 29 May, 2003


ROBERT BOGAN
Associate Counsel
Bureau of Professional Medical Conduct

Date: 05 June, 2003


DENNIS J. GRAZIANO
Director, Office of Professional Medical Conduct

ORDER

Upon the proposed agreement of **ANNAMARIA MAZZIOTTI FOLKERTS, R.P. A.**, to Surrender her license as a physician assistant 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 assistants 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: 6/9, 2003

William P. Dillon, M.D.

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

IN THE MATTER
OF
ANNAMARIA MAZZIOTTI FOLKERTS, R.P.A.
CO-03-03-1261-A

STATEMENT
OF
CHARGES

ANNAMARIA MAZZIOTTI FOLKERTS, R.P.A., the Respondent, was authorized to practice medicine as a Physician Assistant in New York state on September 18, 1997, by the issuance of license number 006049 by the New York State Education Department.

FACTUAL ALLEGATIONS

A. On or about December 8, 1993, the State of New Jersey, Department of Law and Public Safety, Division of Consumer Affairs, Board of Medical Examiners (hereinafter "New Jersey Board") by a Consent Agreement, accepted the surrender of Respondent's residency training permit, based on knowingly submitting false responses on her application for a residency training permit and knowingly submitting a counterfeit document with that application.

B. On or about December 19, 2002, the North Carolina Medical Board (hereinafter "North Carolina Board"), by a Findings and Fact, Conclusion of Law, and Order of Discipline (hereinafter "North Carolina Order"), **SUSPENDED INDEFINITELY** Respondent's physician assistant license, based upon providing false and misleading responses on her application for a physician assistant license, constituting making false statements or representations to the North Carolina Board and willful concealment from the North Carolina Board of material information in connection with an application for a license.

C. The conduct resulting in the New Jersey Board accepting surrender of Respondent's residency training permit 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 fraudulently);
2. New York Education Law §6530(20) (moral unfitness); and/or

3. New York Education Law §6530(21) (willfully making or filing a false report required by law or by the department of health or the education department).

D. The conduct resulting in the North Carolina Medical Board disciplinary action 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 fraudulently);
2. New York Education Law §6530(20) (moral unfitness); and/or
3. New York Education Law §6530(21) (willfully making or filing a false report required by law or by the department of health or the education department).

E. On or about July 16, 1997, Respondent prepared and submitted to the New York State Education Department, an Application for License and First Registration as a Physician Assistant, wherein she falsely answered "No" to question "10. Have you ever surrendered your license or been found guilty of professional misconduct, unprofessional conduct, incompetence or negligence in any other state or country?"

SPECIFICATIONS

FIRST SPECIFICATION

Respondent violated New York Education Law §6530(2) by practicing the profession fraudulently, in that Petitioner charges:

1. The facts in Paragraphs A, C, and/or E.

SECOND SPECIFICATION

Respondent violated New York Education Law §6530(20) by conduct in the practice of medicine which evidence moral unfitness, in that Petitioner charges:

2. The facts in Paragraphs A, C, and/or E.

THIRD SPECIFICATION

Respondent violated New York Education Law §6530(21) by willfully making or filing a false report, in that Petitioner charges:

3. The facts in Paragraphs A, C, and/or E.

FOURTH SPECIFICATION

Respondent violated New York State Education Law §6530(9)(b) 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:

4. The facts in Paragraphs B and/or D.

FIFTH AND SIXTH SPECIFICATIONS

Respondent violated New York Education Law §6530(9)(d) by having her license to practice medicine revoked or suspended having other disciplinary action taken or having her application for a license refused, revoked or suspended or having voluntarily or involuntarily surrendered her license after a disciplinary action was instituted by a duly authorized professional disciplinary agency of another state, where the conduct resulting in the revocation, suspension or other disciplinary action involving the license refusal, revocation or suspension of an application for a license or surrender of the license would, if committed in New York state, constitute professional misconduct under the laws New York state, in that Petitioner charges:

5. The facts in Paragraphs A and/or C.
6. The facts in Paragraphs B and/or D.

DATED: *May 29*, 2003
Albany, New York

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