



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

Board for Professional Medical Conduct

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

C. Maynard Guest, M.D.
Executive Secretary

September 26, 1995

CERTIFIED MAIL-RETURN RECEIPT REQUESTED

Sidney Jan Peck, M.D.
708 Aguave Avenue
Bermuda Dunes, California 92203

RE: License No. 045871

Dear Dr. Peck:

Effective Date: 10/03/95

Enclosed please find Order #BPMC 95-231 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.
Chairman
Board for Professional Medical Conduct

Enclosure

cc: Timothy Mahar, Esq.

STATE OF NEW YORK : DEPARTMENT OF HEALTH

STATE BOARD FOR PROFESSIONAL MEDICAL CONDUCT

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IN THE MATTER :

OF :

SIDNEY JAN PECK, M.D. :

ORDER

BPMC #95-231

-----X

Upon the Application of SIDNEY JAN PECK, M.D. (Respondent) to Surrender his 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 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 21 September 1995



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 TO
OF : SURRENDER
SIDNEY JAN PECK, M.D. : LICENSE

-----X

STATE OF CALIFORNIA)

ss.:

COUNTY OF ()

SIDNEY JAN PECK, M.D., being duly sworn, deposes and says:

On or about May 27, 1947, I was licensed to practice medicine as a physician in the State of New York having been issued License No. 045871 by the New York State Education Department.

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

I understand that I have been charged with one Specification 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.

I hereby plead no contest to the allegations and Specifications contained in the Statement of Charges (Exhibit A).

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.

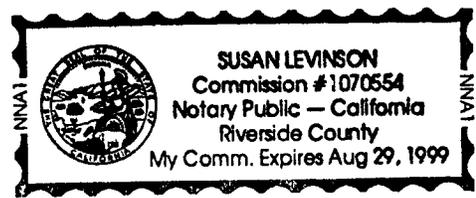
I am making this Application of my own free will and accord and not under duress, compulsion, or restraint of any kind or manner.

Sidney Jan Peck

SIDNEY JAN PECK, M.D.
Respondent

Sworn to before me this
14th day of September, 1995

Susan Levinson
NOTARY PUBLIC



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

-----X

IN THE MATTER : APPLICATION TO
OF : SURRENDER
SIDNEY JAN PECK, M.D. : LICENSE

-----X

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

Date: Sept, 1995



SIDNEY JAN PECK, M.D.
Respondent

Date: September 5, 1995



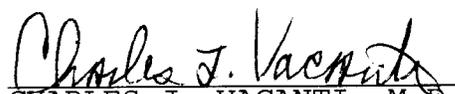
TIMOTHY J. MAHAR
Assistant Counsel
Bureau of Professional
Medical Conduct

Date: Sept. 19, 1995



KATHLEEN M. TANNER
Director, Office of
Professional Medical Conduct

Date: 21 September 1995



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
SIDNEY JAN PECK, M.D. : CHARGES

-----X

SIDNEY JAN PECK, M.D., Respondent, was authorized to practice medicine in New York State on May 27, 1947 by the issuance of license number 045871 by the New York State Education Department.

FACTUAL ALLEGATIONS

1. Pursuant to a voluntary agreement entered into by Respondent and the Florida Board of Medicine (Florida Board) dated February 6, 1995, the Florida Board of Medicine issued an Order dated April 10, 1995 accepting Respondent's voluntary surrender of his Florida Medical License.

2. The conduct underlying Respondent's surrender of his Florida medical license as alleged in the Administrative Complaint of the Florida Agency for Health Care Administration consisted of, among other things, the following:

- a. Respondent prescribed controlled substances to Patient V.P. and Patient M.S. without recording histories, examination results, test results, the drugs prescribed, consultations and hospitalizations.

- b. Respondent prescribed controlled substances to himself, Patient V.P. and Patient M.S. without any physical examination or medical justification for prescribing the controlled substances.

3. The conduct for which the Florida Board accepted Respondent's voluntary relinquishment of his license would, if committed in New York State, constitute professional misconduct under N.Y. Educ. Law §6530(3) [practicing the profession with negligence on more than one occasion]; and/or §6530(5) [practicing the profession with incompetence on more than one occasion]; and/or §6530(4) [practicing the profession with gross negligence]; and/or §6530(6) [practicing the profession with gross incompetence]; and/or 6530(32) [failing to maintain a record for each patient which accurately reflects the evaluation and treatment of the patient].

SPECIFICATION

Respondent is charged with professional misconduct within the meaning of N.Y. Educ. Law §6509(9)(d) (McKinney Supp. 1995) by reason of having voluntarily surrendered his medical license in another state, where the conduct resulting in the voluntary surrender of Respondent's medical license would, if committed in New York State, constitute professional misconduct under the laws of New York State, in that Petitioner charges:

1. The facts in paragraphs 1, 2 and/or 3.

DATED: , 1995

Albany, New York

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