



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.
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NYS Department of Health*

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NYS Department of Health*

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Office of Professional Medical Conduct

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Vice Chair

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

May 10, 2001

CERTIFIED MAIL-RETURN RECEIPT REQUESTED

Ivo Matijevic, M.D.
151 Crandon Blvd., Apt. 402
Key Biscayne, FL 33149

RE: License No. 130059

Dear Dr. Matijevic:

Enclosed please find Order #BPMC 01-119 of the New York State Board for Professional Medical Conduct. This Order and any penalty provided therein goes into effect May 10, 2001.

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

cc: Kevin C. Roe, Esq.

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

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IN THE MATTER : SURRENDER
OF : ORDER
IVO MATIJEVIC, M.D. : BPMC # 01-119

-----X

IVO MATIJEVIC, M.D., says:

On or about February 23, 1977, I was licensed to practice medicine as a physician in the State of New York having been issued License No. 130059 by the New York State Education Department.

I understand that I have been charged with fourteen 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 in the State of New York and request that the Board issue this Surrender Order.

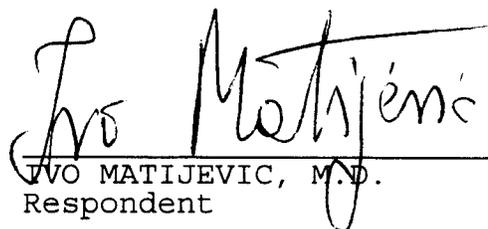
I do not contest the thirteenth specification set forth in the Statement of Charges.

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.

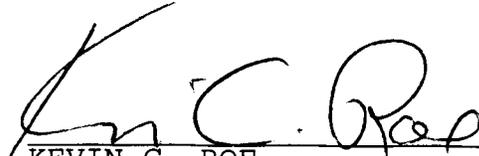
I agree that in the event the State Board for Professional Medical Conduct agrees with my proposal, this Order shall be issued striking my name from the roster of physicians in the State of New York without further notice to me. In addition, I agree to a penalty that I am prohibited from applying for re-licensure pursuant to N.Y. Public Health Law §230-a (6).

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


IVO MATIJEVIC, M.D.
Respondent

AGREED TO:

Date: 4/27, 2001



KEVIN C. ROE
Associate Counsel
Bureau of Professional
Medical Conduct

Date: 5/4/01, 2001



DENNIS J. GRAZIANO
Director, Office of
Professional Medical Conduct

ORDER

Upon the proposed agreement of IVO MATIJEVIC, M.D., 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 proposed agreement 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; and it is further

ORDERED, that Respondent is prohibited from applying for re-licensure pursuant to N.Y. Public Health Law §230-a (6); 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 via certified mail, whichever is earliest.

DATED: 5/9/01



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

EXHIBIT A

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

-----X

IN THE MATTER : STATEMENT
OF : OF
IVO MATIJEVIC, M.D. : CHARGES

-----X

IVO MATIJEVIC, M.D., Respondent, was authorized to practice medicine in New York State on February 23, 1977, by the issuance of license number 130059.

FACTUAL ALLEGATIONS

A. Respondent treated Patient A (patients are identified in the attached appendix) from on or about June 1996 to on or about March 23, 1997, at his office and Samaritan Medical Center, Watertown, NY. Respondent's care and treatment of Patient A failed to meet acceptable standards of medical care, in that:

1. Respondent failed to order/place a fetal scalp electrode.
2. Respondent failed to perform a Caesarian section in a timely manner.
3. Respondent failed to have a pediatrician present at delivery.

B. Respondent treated Patient B from on or about 1994 to on or about August 19, 1996 at his office and Samaritan Medical Center. Respondent's care and treatment of Patient B failed to meet acceptable standards of medical care, in that:

1. Respondent failed to order/obtain an endometrial biopsy.
2. Respondent ordered/administered two units of packed red blood cells without adequate medical justification.
3. Respondent ordered/administered antibiotics without adequate medical justification.

C. Respondent treated Patient C from on or about June 1996 to on or about December 1996 at his office and Samaritan Medical Center. Respondent's care and treatment of Patient C failed to meet acceptable standards of medical care, in that:

1. Respondent performed a hysterectomy without adequate medical justification.
2. Respondent failed to adequately evaluate and treat postoperative hemorrhage.

D. Respondent treated Patient D from on or about 1995 to on or about January 1998 at his office and Samaritan Medical Center. Respondent's care and treatment of Patient D failed

to meet acceptable standards of medical care, in that:

1. Respondent performed a hysterectomy without adequate medical justification.
2. Respondent failed to perform a suprapubic urethral suspension.
3. Respondent performed leep needle drainage of a hematoma in his office without adequate medical justification.

E. Respondent treated Patient E from on or about June 1992 to on or about March 1993 at his office and Samaritan Medical Center. Respondent's care and treatment of Patient E failed to meet acceptable standards of medical care, in that:

1. Respondent failed to deliver Twin B in a timely manner.

F. Respondent treated Patient F from on or about July 1997 to on or about August 1997 at his office and Samaritan Medical Center. Respondent's care and treatment of Patient F failed to meet acceptable standards of medical care, in that:

1. Respondent failed to adequately instruct Patient F regarding use of Terbutaline.
2. Respondent failed to inform Patient F regarding her high risk pregnancy.
3. Respondent failed to refer Patient F to a perinatal

center in a timely manner.

SPECIFICATIONS

FIRST THROUGH SIXTH SPECIFICATIONS

GROSS NEGLIGENCE

Respondent is charged with gross negligence on a particular occasion in violation of New York Education Law §6530(4), in that Petitioner charges:

1. The facts in Paragraphs A and A.1, A.2, and/or A.3.
2. The facts in Paragraphs B and B.1, B.2, and/or B.3.
3. The facts in Paragraphs C and C.1, and/or C.2.
4. The facts in Paragraphs D and D.1, D.2, and/or D.3.
5. The facts in Paragraphs E and E.1.
6. The facts in Paragraphs F and F.1, F.2, and/or F.3.

SEVENTH THROUGH TWELFTH SPECIFICATIONS

GROSS INCOMPETENCE

Respondent is charged with gross incompetence on a particular occasion in violation of New York Education Law §6530(6), in that Petitioner charges:

7. The facts in Paragraphs A and A.1, A.2, and/or A.3.
8. The facts in Paragraphs B and B.1, B.2, and/or B.3.

9. The facts in Paragraphs C and C.1, and/or C.2.
10. The facts in Paragraphs D and D.1, D.2, and/or D.3.
11. The facts in Paragraphs E and E.1.
12. The facts in Paragraphs F and F.1, F.2, and/or F.3.

THIRTEENTH SPECIFICATION

NEGLIGENCE ON MORE THAN ONE OCCASION

Respondent is charged with negligence on more than one occasion in violation of New York Education Law §6530(3), in that Petitioner charges two or more of the following:

13. The facts in Paragraphs A and A.1, A.2, A.3; B and B.1, B.2, B.3; C and C.1, C.2; D and D.1, D.2, D.3; E and E.1; F and F.1, F.2, F.3.

FOURTEENTH SPECIFICATION

INCOMPETENCE ON MORE THAN ONE OCCASION

Respondent is charged with incompetence on more than one occasion in violation of New York Education Law §6530(5), in that Petitioner charges two or more of the following:

13. The facts in Paragraphs A and A.1, A.2, A.3; B and B.1, B.2, B.3; C and C.1, C.2; D and D.1, D.2, D.3; E and E.1; F and F.1, F.2, F.3.

DATED: *April 27*, 2001
Albany, New York

Peter D. Van Buren

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