

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

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IN THE MATTER : COMMISSIONER'S  
OF : SUMMARY  
MARCOS U. RAMOS, M.D. : ORDER

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TO: MARCOS U. RAMOS, M.D.  
1 COUNTRY CLUB ROAD  
LACONIA, NEW HAMPSHIRE 03246

The undersigned, DENNIS P. WHALEN, Executive Deputy Commissioner of the New York State Department of Health, after an investigation, upon the recommendation of a committee on professional medical conduct of the State Board for Professional Medical Conduct, and upon the Statement of Facts Supporting Summary Order of Suspension attached hereto and made a part hereof, has determined that the duly authorized professional disciplinary agency of another jurisdiction [the Commonwealth of Massachusetts] has made a finding substantially equivalent to a finding that the practice of medicine in that jurisdiction by Marcos U. Ramos M.D., the Respondent, constitutes an imminent danger to the health of its people.

It is therefore:

ORDERED, pursuant to N.Y. Pub. Health Law Section 230(12)(b), that effective immediately, Respondent, shall not practice medicine in the State of New York. This Order shall remain in effect unless modified or vacated by the Commissioner of Health pursuant to N.Y. Pub. Health Law Section 230(12).

PLEASE TAKE NOTICE that a hearing will be held pursuant to the provisions of N.Y. Pub. Health Law Section 230, and N.Y. State Admin. Proc. Act Sections 301-307 and 401. The hearing will be conducted before a committee on professional conduct of the State Board for Professional Medical Conduct and shall commence within thirty (30) days after the disciplinary proceedings against Respondent in the Commonwealth of Massachusetts are finally concluded [N.Y. Pub. Health. L. section 230(12)(b)].

The date and location of this hearing will be set forth in a written Notice of Summary Hearing and Statement of Charges to be provided to Respondent at a later date. The written Notice may be provided in person, by mail or other means.

If Respondent wishes to be provided this written Notice at an address other than the one noted above, he shall notify both the attorney whose name is set forth in this Order and the Director of the Bureau of Adjudication, Hedley Park Place, 433 River Street, 5th Floor, Troy, New York 12180 (518-402-0748).

THESE PROCEEDINGS MAY RESULT IN A  
DETERMINATION THAT YOUR LICENSE TO PRACTICE  
MEDICINE IN NEW YORK STATE BE REVOKED OR  
SUSPENDED, AND/OR THAT YOU BE FINED OR  
SUBJECT TO OTHER SANCTIONS SET FORTH IN NEW  
YORK PUBLIC HEALTH LAW SECTION 230-a. YOU  
ARE URGED TO OBTAIN AN ATTORNEY TO REPRESENT

YOU IN THIS MATTER.

DATED: Albany, New York

April 16, 1999.



DENNIS P. WHALEN

Executive Deputy Commissioner

Inquiries should be directed to:

Mark T. Fantauzzi  
Assistant Counsel  
NYS Department of Health  
Division of Legal Affairs  
Corning Tower Building  
Room 2509  
Empire State Plaza  
Albany, New York 12237-0032  
(518) 473-4282

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

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IN THE MATTER	:	STATEMENT OF FACTS
OF	:	SUPPORTING SUMMARY
MARCOS U. RAMOS, M.D.	:	ORDER OF SUSPENSION

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MARCOS U. RAMOS, M.D., the Respondent, was authorized to practice medicine in New York State on September 15, 1975, by the issuance of license number 125241 by the New York State Education Department.

FACTUAL ALLEGATIONS

1. On February 22, 1999, upon a Motion For Summary Suspension of even date, which contended that "The Respondent (was) an immediate and serious threat to the public's health, safety and welfare, thus warranting an immediate suspension of his license to practice medicine", the Board of Registration in Medicine for the Commonwealth of Massachusetts, hereinafter the "Massachusetts Board", issued a Temporary Order Of Suspension of Respondent's license to practice medicine in the State of Massachusetts. The Temporary Order Of Suspension provided, among other things:

The Board has determined that based upon the information contained in the Statement of Allegations and Exhibits in Support of the Motion for Summary Suspension that the health, safety and welfare of the public necessitates said suspension.

Excerpt from Temporary Order Of Suspension, dated February 22,

1999.

2. Respondent is a medical doctor, board certified in physical medicine and rehabilitation, and has practiced medicine in the Commonwealth of Massachusetts. The summary suspension of Respondent's Massachusetts medical license by the Massachusetts Board was based upon a Statement of Allegations and supporting exhibits. The allegations supporting the action taken by the Massachusetts Board, and of related and other misconduct by Respondent, are set forth in paragraphs "3" through "6".

3. Respondent, on February 12, 1999, was charged in Suffolk County Massachusetts with seven counts of indecent assault and battery, and one count of rape. It is alleged that these indictments all arose from misconduct of the Respondent which occurred with patients during the course of physical examinations, i.e., in the practice of medicine.

4. It is alleged that Respondent's assaultive and related conduct with patients as aforementioned included the following conduct:

- a. Touching the breasts, genitals and other body parts of female patients without legitimate medical purpose.
- b. Requiring a patient to undress completely on multiple occasions, except for underpants, without legitimate medical purpose.
- c. Refusing a patient's request to allow her to have a chaperone of her choosing present during the examination.
- d. Refusing a patient's request to allow her to have her husband present during a physical examination.
- e. Removing a patient's bra without warning to the patient.

5. Respondent is presently awaiting a trial of the criminal charges and further action of the Massachusetts Board.

6. Respondent, on or about December 12, 1975, knowingly, and while under oath, falsely answered "no" to a question in an application for endorsement registration to the Massachusetts Board. The question concerned whether Respondent had ever been arrested or summoned into court as a defendant or indicted, convicted, fined or imprisoned or placed on probation or whether any case had ever been filed against Respondent, among other things. In fact, Respondent had been arrested on June 3, 1975 and charged in the State of Minnesota with the crime of having sexual intercourse with a minor child. Respondent was also charged in Minnesota with the crimes of "indecent liberties" and three counts of "sodomy".

7. Respondent also currently holds a license to practice medicine in the State of New Hampshire. The New Hampshire Board of Medicine for the State of New Hampshire, hereinafter, the New Hampshire Board, summarily suspended Respondent's medical license and otherwise commenced disciplinary proceedings against Respondent, by the issuance of an Order Of Emergency License Suspension dated March 4, 1999. The summary suspension by the State of New Hampshire was based upon the Respondent's indictment for his allegedly criminal conduct in the Commonwealth of Massachusetts, and upon the summary suspension of Respondent's medical license by Massachusetts. The Respondent is presently awaiting further disciplinary action by the New Hampshire Board.

Dated: April 16, 1999  
Albany, New York

  
PETER VAN BUREN  
Deputy Counsel  
Bureau of Professional  
Medical Conduct