



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

C. Maynard Guest, M.D.
Executive Secretary

July 20, 1993

CERTIFIED MAIL-RETURN RECEIPT REQUESTED

Moises Benozio Menache, M.D.
220 Tate Avenue
Buchanan, New York 10511

RE: License No. 093999
Effective Date: 7/27/93

Dear Dr. Menache:

Enclosed please find Order #BPMC 93-104 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
MOISES BENOZIO MENACHE, M.D. : BPMC #93-104

-----X

Upon the Application of MOISES BENOZIO MENACHE, 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 not apply for the restoration of Respondent's license until at least one year has elapsed from the effective date of this order; 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.

SO ORDERED,

DATED: 13 July 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 : APPLICATION TO
MOISES BENOZIO MENACHE, M.D. : SURRENDER
: LICENSE

STATE OF NEW YORK)
COUNTY OF WESTCHESTER) SS.:

MOISES BENOZIO MENACHE, M.D., being duly sworn, deposes and says:

On or about March 16, 1965, I was licensed to practice as a physician in the State of New York having been issued License No. 093999 by the New York State Education Department.

I was 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, from 220 Tate Avenue, Buchanan, NY 10511.

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 on the grounds that I admit guilt to the specification of professional misconduct set forth in the Statement of Charges.

I hereby make this application to the State Board for Professional Medical Conduct and request that it be granted.

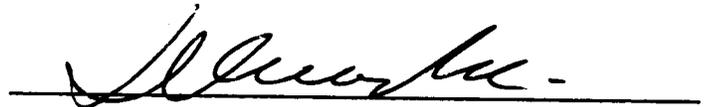
I understand that, in the event that the application is not granted by the State Board for Professional Medical Conduct, nothing contained herein shall be binding upon me or construed to be an admission of any act of misconduct alleged or charged against me, such application shall not be used against 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 further agree that in the event my application is granted, I shall permanently refrain from reapplying for licensure as a physician in New York State, and from applying for licensure in any other State.

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



MOISES BENOZIO MENACHE, M.D.
Respondent

Sworn to before me this
21st day of JUNE, 1993



NOTARY PUBLIC

FRANCES E. HARRISINGH
Notary Public, State of New York
No. 498688
Qualified in Westchester County
Commission expires May 18, 1994

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

IN THE MATTER

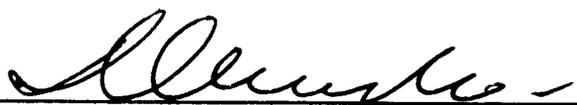
OF

MOISES BENOZIO MENACHE, M.D.

: APPLICATION TO
:
: SURRENDER
:
: LICENSE
:

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

Date: June 21, 1993


MOISES BENOZIO MENACHE, M.D.
Respondent

Date: June 21, 1993


GARY R. RICK, ESQ.
Attorney for Respondent

Date: July 1, 1993


ROY NEMERSON
Deputy Counsel
Bureau of Professional
Medical Conduct

MOISES BENOZIO MENACHE, M.D.

Date: July 16, 1993

Kathleen M. Tanner

KATHLEEN M. TANNER
Director, Office of Professional
Medical Conduct

Date: 13 July 1993

Charles J. Vacanti

CHARLES J. VACANTI, M.D.
Chairperson, 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
MOISES BENOZIO MENACHE, M.D. : CHARGES
-----X

MOISES BENOZIO MENACHE, M.D., the Respondent, was authorized to practice medicine in New York State on March 16, 1965 by the issuance of license number 093999 by the New York State Education Department. The Respondent was registered with the New York State Education Department to practice medicine for the period January 1, 1991 through December 31, 1992.

FACTUAL ALLEGATIONS

- A. On or about June 21, 1993, Respondent pleaded guilty, in Westchester County Court, to the crime of Criminal Sale of a Prescription for a Controlled Substance in violation of N.Y. Penal Law section 220.65, a felony.

SPECIFICATION

Respondent is charged with committing professional misconduct within the meaning of N.Y. Educ. Law section 6530(9)(a)(i) (McKinney Supp. 1993) by having been convicted of

an act constituting a crime under New York State law in that
Petitioner charges:

1) The facts alleged in Paragraph A.

DATED: New York, New York

CHRIS STERN HYMAN
Counsel
Bureau of Professional Medical
Conduct