



Board for Professional Medical Conduct

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

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

C. Maynard Guest, M.D.
Executive Secretary

July 14, 1994

CERTIFIED MAIL-RETURN RECEIPT REQUESTED

Michael Wolchonok, M.D.
188 Eighth Avenue
Brooklyn, New York 11215

RE: License No. 134066
Effective Date 7/21/94

Dear Dr. Wolchonok:

Enclosed please find Order #BPMC 94-111 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

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

-----X

IN THE MATTER :
OF : ORDER
MICHAEL WOLCHONOK, M.D. : BPMC 94-111

-----X

Upon the application of Michael Wolchonok, M.D.
(Respondent) for Consent Order, which application is made a part
hereof, it is

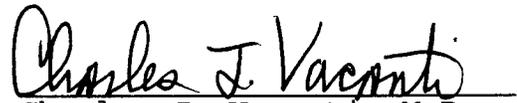
ORDERED, that the application and the provisions
thereof are hereby adopted and so ORDERED, and it is further

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 by certified mail, whichever is
earliest.

SO ORDERED,

DATED:

8 July 94



Charles J. Vacanti, M.D.
Chairperson
State Board for Professional
Medical Conduct

I admit guilt to the First Specification of the Charges against me, in full satisfaction of the charges against me.

I hereby agree to the penalty of a suspension of my license for a period of two (2) years, (beginning upon the effective date of the Consent Order applied for hereby), all of which shall be stayed. I further agree to the penalty of probation for a period of two (2) years, beginning upon the effective date of the Consent Order applied for hereby and subject to the terms enumerated in Exhibit "B". As I plan to move from New York to Massachusetts in July 1994, I maintain the right to apply to the Director of the Office of Professional Medical Conduct ("OPMC") for a reasonable modification of the terms and conditions relating to the periodic review of my office records and other documents (but not the length) of my probation, and I understand that the granting of such modification shall be in the sole discretion of the Director of OPMC.

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

I understand that, in the event that this Application is not granted by the Board, 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 Board shall be made without prejudice to the continuance of any disciplinary proceeding and the final determination by the Board 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.

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


MICHAEL WOLCHONOK, M.D.
RESPONDENT

Sworn to before me this
24th day of June, 1994.


NOTARY PUBLIC

MICHAEL S. KELTON
Notary Public, State of New York
No. 44-466920
Qualified in Rockland County
Commission Expires September 30, 1994

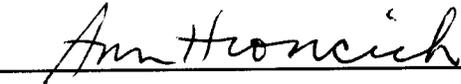
STATE OF NEW YORK : DEPARTMENT OF HEALTH
STATE BOARD FOR PROFESSIONAL MEDICAL CONDUCT

-----X
: APPLICATION
IN THE MATTER :
: FOR
OF :
: CONSENT
MICHAEL WOLCHONOK, M.D. :
: ORDER
-----X

The undersigned agree to the attached application of the Respondent and to the proposed penalty based on the terms and conditions thereof.

Date: 6/24/94 
MICHAEL WOLCHONOK, M.D.
RESPONDENT

Date: 6/24/94 
MICHAEL S. KELTON, ESQ.
ATTORNEY FOR RESPONDENT

Date: June 28, 1994 
ANN HRONCICH
ASSOCIATE COUNSEL
BUREAU OF PROFESSIONAL
MEDICAL CONDUCT

Date:

July 9, 1994

Kathleen M. Tanner

KATHLEEN M. TANNER
DIRECTOR
OFFICE OF PROFESSIONAL
MEDICAL CONDUCT

Date:

8 July 1994

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

-----X
IN THE MATTER : STATEMENT
OF : OF
MICHAEL WOLCHONOK, M.D. : CHARGES
-----X

MICHAEL WOLCHONOK, M.D., the Respondent, was authorized to practice medicine in New York State on March 24, 1978, by the issuance of license number 134066, by the New York State Education Department. The Respondent is currently registered with the New York State Education Department to practice medicine for the period January 1, 1993 through December 31, 1994, at 188 Eighth Avenue, Brooklyn, N.Y. 11215.

FIRST SPECIFICATION

**HAVING BEEN FOUND TO BE IN
VIOLATION OF ARTICLE THIRTY-THREE
OF THE NEW YORK STATE PUBLIC HEALTH LAW**

Respondent is charged with professional misconduct within the meaning of N.Y. Educ. Law Sec. 6530(9)(e) (McKinney Supp. 1994), in that he has been found by the Commissioner of Health to be in violation of article thirty-three of the public health law, specifically:

"EXHIBIT A"

On or about April 30, 1993, the Respondent entered into a stipulation and agreement whereby he admitted that he violated Section 3331(6) of the Public Health Law, during the period from 1986 through 1989, in that he improperly dispensed Dexedrine, Dextroamphetamine, Percodan, Tylox, Meperidine, Demerol, Valium, and Diazepam, without preparing or filing an official New York State prescription form at the time of each dispensing. Respondent further admitted that he violated Section 3343(2) of the Public Health Law, during the period from April 1, 1986 through November 30, 1989, in that he failed to maintain records of all controlled substances purchased and dispensed by him.

Pursuant to Sections 12 and 206 of the Public Health Law, the New York State Department of Health ("NYSDOH") assessed against Respondent a civil penalty in the amount of Ten Thousand (\$10,000.00) Dollars, Six Thousand (\$6,000.00) Dollars of which was suspended contingent upon Respondent's compliance with the additional terms of the Stipulation and Order, which Order was signed by the Commissioner of the NYSDOH on June 4, 1993. Furthermore, Respondent's use of official New York State prescription forms was suspended for one (1) year, effective June 4, 1993. Respondent further agreed not to prescribe any controlled substances for himself, his spouse, or his children for a five (5) year period, effective June 4, 1993.

DATED: NEW YORK, NEW YORK

April 20, 1994



CHRIS STERN HYMAN
Counsel
Bureau of Professional
Medical Conduct

EXHIBIT "B"

TERMS OF PROBATION

1. MICHAEL WOLCHONOK, M.D., during the period of probation, shall conduct himself in all ways in a manner befitting his professional status, and shall conform fully to the moral and professional standards of conduct imposed by law and by his profession;
2. That Respondent shall submit written notification to the New York State Department of Health (NYSDOH), addressed to the Director, Office of Professional Medical Conduct, New York State Health Department, Corning Tower Building, 4th Floor, Empire State Plaza, Albany, New York 12237, of any employment and practice, of Respondent's residence and telephone number, of any change in Respondent's employment, practice, residence, or telephone number within or without the State of New York;
3. Respondent shall submit written proof from the Division of Professional Licensing Services (DPLS), New York State Education Department (NYSED), that Respondent has paid all registration fees due and owing to the NYSED and Respondent shall cooperate with and submit whatever papers are requested by DPLS in regard to said registration fees, said proof from DPLS to be submitted by Respondent to the New York State Department of Health, addressed to the Director, Office of Professional Medical Conduct, as aforesaid, no later than the first three months of the period of probation;
4. Respondent shall submit written proof to the NYSDOH, addressed to the Director, Office of Professional Medical Conduct, as aforesaid, that 1) Respondent is currently registered with the NYSED, unless Respondent submits written proof that Respondent has advised DPLS, NYSED, that Respondent is not engaging in the practice of Respondent's profession in the State of New York and does not desire to register, and that 2) Respondent has paid any fines which may have previously been imposed upon Respondent by the Board or by the Board of Regents; said proof of the above to be submitted no later than the first two months of the period of probation;
5. Respondent shall attend and participate in the "Mini Residency in the Proper Prescribing of Controlled Dangerous Substances, the Second Decade of CDS (Continuing Drug Seminars)" Continuing Medical Education Course offered by the University of Medicine & Dentistry of New Jersey, Robert Wood Johnson Medical School, in October 1994. If for some reason Respondent is unable to attend the aforesaid

course in October 1994, Respondent shall attend and participate in said course (or an equivalent course which shall be pre-approved by the Director of OPMC) during the first year of the aforesaid two (2) year probation period. Respondent shall promptly submit proof of successful completion of said program to the Director of OPMC.

6. During the two (2) year period of probation, Respondent shall meet quarterly with an individual selected by the Director, for the purpose of case and practice evaluation and review, and shall provide said individual with whatever records, documents, and/or other information said individual deems necessary for said evaluation and review, including but not limited to any records/documents pertaining to prescribing and/or dispensing of controlled substances.
7. Respondent shall comply with all terms, conditions, restrictions, and penalties to which he is subject pursuant to the order of the Board;
8. Any civil penalty not paid by the date prescribed herein shall be subject to all provisions of law relating to debt collection by the State of New York. This includes but is not limited to the imposition of interest, late payment charges and collection fees; referral to the New York State Department of Taxation and Finance for collection; and non renewal of permits or licenses (Tax Law section 171(27); State Finance Law section 18; CPLR section 5001; Executive Law section 32).
9. So long as there is full compliance with every term herein set forth, Respondent may continue to practice his or her aforementioned profession in accordance with the terms of probation; provided, however, that upon receipt of evidence of noncompliance with, or any violation of these terms, the Director of the Office of Professional Medical Conduct and/or the Board may initiate a violation of probation proceeding and/or such other proceeding against Respondent as may be authorized pursuant to the Public Health Law.