



## Board for Professional Medical Conduct

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

C. Maynard Guest, M.D.  
Executive Secretary

June 30, 1992

### CERTIFIED MAIL-RETURN RECEIPT REQUESTED

Allan B. Martin, M.D.  
2991 East Chestnut Avenue  
#8A  
Vineland, New Jersey 08360

RE: License No. 128864  
Effective Date 07/06/92

Dear Dr. Martin:

Enclosed please find Order #BPMC 92-51 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 12237-0614

Sincerely,

C. Maynard Guest, M.D.  
Executive Secretary  
Board for Professional Medical Conduct



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 do not contest the eleventh specification of professional misconduct set forth in the 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.

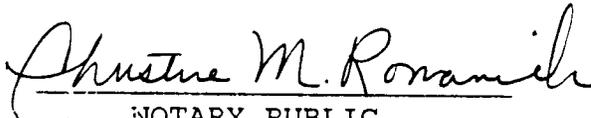
I agree that in the event the State Board for Professional Medical Conduct grants my application, an order shall be issued

striking my name from the roster of physicians in the State of New York without further notice to me.

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

  
ALLAN B. MARTIN, M.D.  
Respondent

Sworn to before me this  
15<sup>th</sup> day of June, 1992

  
NOTARY PUBLIC

**CHRISTINE M. ROMANICK**  
NOTARY PUBLIC OF NEW JERSEY  
MY COMMISSION EXPIRES MARCH 7, 1998

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

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IN THE MATTER :  
OF : ORDER  
ALLAN B. MARTIN, M.D. : BPMC # 92-51

-----X

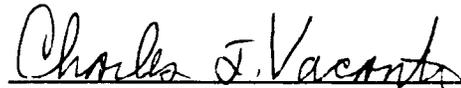
Upon the Application of Allan B. Martin, M.D., which application is made a part hereof, it is

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

ORDERED that this order shall take effect as of the date of the personal service of this order upon the respondent or seven days after mailing by certified mail.

SO ORDERED,

DATED: 25 June 1992



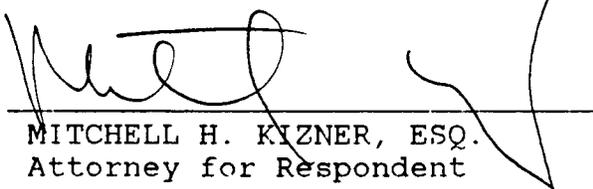
CHARLES J. VACANTI, M.D.  
Chairperson  
State Board for Professional  
Medical Conduct

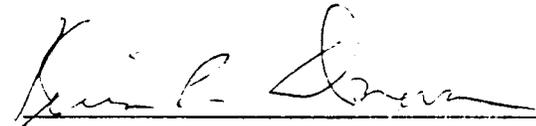
STATE OF NEW YORK : DEPARTMENT OF HEALTH  
STATE BOARD FOR PROFESSIONAL MEDICAL CONDUCT

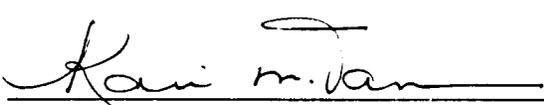
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IN THE MATTER : APPLICATION TO  
OF : SURRENDER  
ALLAN B. MARTIN, M.D. : LICENSE  
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The undersigned agree to the attached application of the Respondent to surrender his license.

Date: June 15, 1992   
ALLAN B. MARTIN, M.D.  
Respondent

Date: June 16, 1992   
MITCHELL H. KIZNER, ESQ.  
Attorney for Respondent

Date: June 22, 1992   
KEVIN P. DONOVAN  
Assistant Counsel  
Bureau of Professional  
Medical Conduct

Date: June 26, 1992   
KATHLEEN M. TANNER  
Director, Office of Professional  
Medical Conduct

ALLAN B. MARTIN, M.D.

Date: 25 June, 1992

*Charles J. Vacanti*

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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  
ALLAN B. MARTIN, M.D. : CHARGES

-----X

ALLAN B. MARTIN, M.D., the Respondent, was authorized to practice medicine in New York State on October 1, 1976, by the issuance of license number 128864 by the New York State Education Department. The Respondent is not currently registered with the New York State Education Department to practice medicine. His last registered address with the New York State Education Department was 4915 Ralston Avenue, Indianapolis, Indiana.

FACTUAL ALLEGATIONS

A. The Respondent's privileges at Barnert Memorial Hospital Center, 680 Broadway, Paterson, New Jersey 07514 (hereinafter Barnert Hospital) were suspended, effective June 20, 1986. Respondent was reminded of this fact by a letter to him from Barnert Hospital dated August 31, 1986.

1. On or about December 20, 1988, Respondent falsely and intentionally asserted on a "Registration Application" for the New York State Education Department that no hospital had restricted his privileges since his last registration.

2. On or about February 27, 1989, Respondent falsely and intentionally asserted on a "Professional Liability Physicians Insurance Application" that his membership on any hospital staff and his clinical privileges on any medical staff had never been suspended.
3. On or about September 21, 1988, Respondent falsely and intentionally asserted on an "Application for Temporary Admitting and Clinical Privileges" for Nathan Littauer Hospital, 99 East State Street, Gloversville, New York, that his medical staff appointment and privileges had never been suspended or diminished at any hospital or other health care facility.
4. On or about February 26, 1989, Respondent falsely and intentionally asserted on a "Physician Information Sheet" for Physician Staffing, Inc., 3628 Walnut Hills Road, Cleveland, Ohio, that his privileges had never been suspended or diminished at any hospital.
5. On or about February 27, 1989, Respondent falsely and intentionally asserted on an "Application for Privileges" for Olean General Hospital, 515 Main Street, Olean, New York, that his membership on any hospital medical staff and his clinical privileges on any medical staff had never been suspended.
6. On or about February 27, 1989, Respondent falsely and intentionally asserted on an "Application for Appointment to the Medical Staff" for Salamanca District Hospital, 150 Parkway Drive, Salamanca, New York, that his privileges had never been suspended or diminished at any health care facility.
7. On or about March 13, 1989, Respondent falsely and intentionally asserted on an "Application for Medical Staff Appointment" for St. Joseph's Hospital, 2605 Harlem Road, Cheektowaga, New York, that his privileges had never been suspended at any hospital.
8. On or about March 29, 1989, Respondent falsely and intentionally asserted on an "Application for Medical or Dental Staff Privileges" for Sisters of Charity Hospital, 2157 Main Street, Buffalo, New York, that his privileges had never been suspended at any hospital.
9. In response to a question from the Board of Medical Examiners of the State of New Jersey concerning which hospitals Respondent had held privileges from 1979 to the present, and whether his hospital privileges had ever been terminated, suspended, etc., Respondent, in a writing under oath dated October 18, 1991, falsely and intentionally did not mention that his privileges were

suspended at Barnert Memorial Hospital Center, but instead stated that he left that facility because he could no longer afford malpractice insurance.

10. On or about June 2, 1989, Respondent falsely and intentionally asserted on an "Application for Appointment to the Medical Staff" of National Emergency Services, Toledo, Ohio, that his privileges had never been suspended at any hospital.

B. In a writing dated July 31, 1991, the Board of Medical Examiners of the State of New Jersey asked Respondent to answer 9 questions. Respondent provided written sworn answers in a "Statement In Writing Under Oath" dated October 18, 1991.

1. In response to request number 8: "State whether you have ever been denied licensure by any state or foreign country and the reason or reasons why your application was denied," Respondent falsely and intentionally stated "I applied for licensure in Ohio in 1988. That application has not to my knowledge been approved. However, I have never received a formal denial." On November 25, 1989, Respondent signed a receipt for certified mail from the State Medical Board of Ohio; that certified mail contained an Order of the State Medical Board of Ohio denying the application for licensure of Allan Bradley Martin, M.D., to practice medicine and surgery in Ohio, and further ordering that Respondent would not at any time be eligible to apply for or obtain licensure to practice medicine and surgery or any of its branches in the State of Ohio. The letter from Ohio contained the reasons why the Board issued the order against Respondent.
2. In response to request number 6, "State all hospitals or other medical entities by which you were employed;... and your reasons for leaving such employment," Respondent falsely and intentionally failed to state that he was employed by Physician Staffing, Inc., from March 13, 1989, until May 22, 1989. Respondent also failed to state that the contract was terminated by Physician Staffing, Inc.
3. In response to request number 3, "Name all hospitals or other licensed health care facilities both within and outside New Jersey at which you have held privileges," Respondent intentionally omitted to list St. Joseph's

Hospital, 2605 Harlem Road, Cheektowaga, New York, and/or Olean General Hospital, 515 Main Street, Olean, New York.

C. On March 13, 1989, Respondent completed an application for privileges at St. Joseph's Hospital, Cheektowaga, New York. In that application he was asked to list all prior hospital staff appointments, but he intentionally did not list Kingman Regional Medical Center, 3629 Stockton Hill Road, Kingman, Arizona 86401; Calvary Health Center, 120 Broadway, Paterson, New Jersey; Val Verde Memorial Hospital, Del Rio, Texas 78840, and/or Hawley U.S. Army Hospital, Fort Benjamin, Harrison, Indiana 46216.

D. On September 21, 1988, Respondent falsely and intentionally stated on a application for privileges at Nathan Littauer Hospital, Gloversville, New York that he was affiliated with Barnert Hospital in Patterson, New Jersey from 1984 to 1987, when in fact his privileges at that institution ended in 1986; they were suspended in June 1986 and terminated in October 1986.

#### SPECIFICATION OF CHARGES

##### FIRST THROUGH FIFTEENTH SPECIFICATIONS

##### PRACTICING THE PROFESSION FRAUDULENTLY

The Respondent is charged with practicing the profession of medicine fraudulently under N.Y. Educ. Law §6530(2) (McKinney Supp. 1992) [formerly N.Y. Educ. Law 6509(2) (McKinney 1985)] in that the Petitioner charges:

1. The facts in paragraphs A and A.1.
2. The facts in paragraphs A and A.2.

3. The facts in paragraphs A and A.3.
4. The facts in paragraphs A and A.4.
5. The facts in paragraphs A and A.5.
6. The facts in paragraphs A and A.6.
7. The facts in paragraphs A and A.7.
8. The facts in paragraphs A and A.8.
9. The facts in paragraphs A and A.9.
10. The facts in paragraphs A and A.10.
11. The facts in paragraphs B and B.1.
12. The facts in paragraphs B and B.2.
13. The facts in paragraphs B and B.3.
14. The facts in paragraph C.
15. The facts in paragraph D.

#### SIXTEENTH THROUGH THIRTIETH SPECIFICATIONS

##### MORAL UNFITNESS

The Respondent is charged with by exhibiting conduct in the practice of the profession which evidences moral unfitness to practice the profession under N.Y. Educ. Law §6530(20) (McKinney Supp. 1992) [formerly N.Y. Educ. Law 6509(9) and 8 NYCRR 29.1(b)(5)(1987)] in that the Petitioner charges:

16. The facts in paragraphs A and A.1.
17. The facts in paragraphs A and A.2.
18. The facts in paragraphs A and A.3.
19. The facts in paragraphs A and A.4.
20. The facts in paragraphs A and A.5.
21. The facts in paragraphs A and A.6.
22. The facts in paragraphs A and A.7.
23. The facts in paragraphs A and A.8.

24. The facts in paragraphs A and A.9.
25. The facts in paragraphs A and A.10.
26. The facts in paragraphs B and B.1.
27. The facts in paragraphs B and B.2.
28. The facts in paragraphs B and B.3.
29. The facts in paragraph C.
30. The facts in paragraph D.

DATED: Albany, New York

*April 14, 1992*

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