



**New York State Board for Professional Medical Conduct**

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

Barbara A. DeBuono, M.D., M.P.H.  
Commissioner of Health

Charles J. Vacanti, M.D.  
Chair

July 18, 1996

**CERTIFIED MAIL-RETURN RECEIPT REQUESTED**

Walter Dawson, M.D.  
3020 Bridgeway  
Sausalito, California 94965

RE: License No. 048960  
Effective Date: 07/25/96

Dear Dr. Dawson:

Enclosed please find Order #BPMC 96-168 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,

Charles Vacanti, M.D.  
Chair  
Board for Professional Medical Conduct

Enclosure

cc: Ann Gayle, Esq.

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

IN THE MATTER  
OF  
WALTER DAWSON, M.D.

SURRENDER  
ORDER  
BPMC #96-168

Upon the Application of Walter Dawson, M.D. (Respondent) to Surrender his/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 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: 17 July 1996

Charles J. Vacanti

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

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

IN THE MATTER  
OF  
WALTER DAWSON, M.D.

APPLICATION TO  
SURRENDER  
LICENSE

STATE OF CALIFORNIA )  
COUNTY OF *MARIN* ) ss.:

Walter Dawson, M.D., being duly sworn, deposes and says:

On or about July 12, 1949, I was licensed to practice medicine as a physician in the State of New York, having been issued License No. 048960, by the New York State Education Department.

My current address is <sup>3020</sup>~~3030~~ Bridgeway, Sausalito, California 94965, and I will advise the Director of the Office of Professional Medical Conduct of any change of my address.

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".

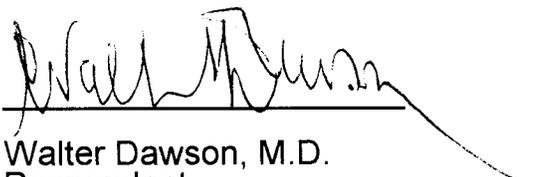
I am applying to the State Board for Professional Medical Conduct for permission to surrender my license as a physician in the State of New York on the grounds that I agree not to contest the allegations against me in full satisfaction of the Statement of Charges.

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.

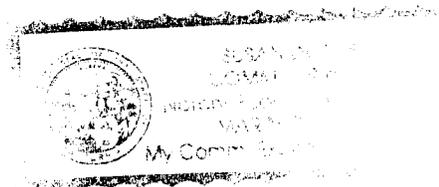
I agree that, in the event the State Board for Professional Medical Conduct grants my application, an order shall be issued striking my name from the roster of physicians in the State of New York without further notice to me.

I am making this Application of my own free will and accord and not under duress, compulsion or restraint of any kind or manner. In consideration of the value to me of the acceptance by the Board of this Application, allowing me to resolve this matter without the various risks and burdens of a hearing on the merits, I knowingly waive any right I may have to contest the Consent Order for which I hereby apply, whether administratively or judicially, and ask that the Application be granted.

  
Walter Dawson, M.D.  
Respondent

Sworn to before me this  
5<sup>th</sup> day of July, 1996

  
NOTARY PUBLIC



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

IN THE MATTER  
OF  
WALTER DAWSON, M.D.

APPLICATION TO  
SURRENDER  
LICENSE

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

Date: 2 July, 1996

  
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WALTER DAWSON, M.D.  
Respondent

*in propria persona*

Date:     , 1996

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\_\_\_\_\_, Esq.  
Attorney for Respondent

Date: July 13, 1996

  
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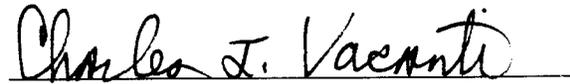
ANN GAYLE, Esq.  
Associate Counsel  
Bureau of Professional  
Medical Conduct

Date: July 17, 1996



ANNE F. SAILE  
Acting Director  
Office of Professional Medical Conduct

Date: 17 July, 1996



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

IN THE MATTER  
OF  
WALTER DAWSON, M.D.

STATEMENT  
OF  
CHARGES

Walter L. Dawson, M.D., the Respondent, was authorized to practice medicine in New York State on or about July 12, 1949, by the issuance of license number 048960, by the New York State Education Department.

FACTUAL ALLEGATIONS

- A. On or about October 5, 1995, Respondent, in a Stipulated Surrender of Certificate of Licensure, surrendered his license to practice medicine in the State of California, while misconduct charges were pending against him. Respondent acknowledged, in said Stipulation, that the matters set forth in the Amended Accusation, would, if proven, constitute cause for disciplinary action against his license to practice medicine in the State of California, and he admitted, for the purposes of the California stipulation only, that his conduct in connection with the V.H. operation on September 19, 1989 constituted cause for disciplinary action pursuant to California Business and Professions Code section 2234, and he further admitted, for the purposes of the California stipulation only, that between 22 August 1992 and 26 June 1993, notwithstanding the fact that his license status limited him to 20 patient visits per year and prohibited him from prescribing Schedule II drugs, he administered Fentanyl, a Schedule II drug, to several hundred patients. Those accusations were, *inter alia*, that on or about September 19, 1989, Respondent, an anesthesiologist with more than 40 years experience,

EX-10-10

**DRAFT**

administered, to patient V.H., 2.5 grams of esmolol in 250 milliliters of fluid, a quantity which would have constituted an overdose even if the usage of esmolol had been warranted by the circumstances (the Amended Accusation alleged that it was not), and the patient subsequently expired, in violation of California Business and Professions Code Section 2234(b), and that on or about August 22, 1992, Respondent's license to practice medicine in California was converted, at Respondent's request, to retired status, which, *inter alia*, restricted Respondent to only 20 patient visits annually, and totally prohibited him from prescribing or administering Schedule II and III drugs, but between August 22, 1992 and June 19, 1993, Respondent administered fentanyl, a Schedule II narcotic to several hundred patients, in violation of California Business and Professions Code Section 2234(a).

**SPECIFICATION OF CHARGES**

**FIRST SPECIFICATION**

**HAVING HAD DISCIPLINARY ACTION TAKEN**

Respondent is charged with committing professional misconduct as defined in N.Y. Educ. Law §6530(9)(d)(McKinney Supp. 1996) by having his or her license to practice medicine revoked, suspended or having other disciplinary action taken, or having his or her application for a license refused, revoked or suspended or having voluntarily or otherwise surrendered his or her license after a disciplinary action was instituted by a duly authorized professional disciplinary agency of another state, where the conduct resulting in the revocation, suspension or other disciplinary action involving the license or refusal, revocation or suspension of an application for a license or the surrender of the license would, if committed in New York state, constitute professional misconduct under the laws of New York state (namely N.Y.

Educ. Law §6530(2) and (4)) as alleged in the facts of the following:

1. Paragraph A.

DATED: June 1996  
New York, New York

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ROY NEMERSON  
Deputy Counsel  
Bureau of Professional  
Medical Conduct

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