



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

March 13, 1996

CERTIFIED MAIL-RETURN RECEIPT REQUESTED

Myron Saline, M.D.
7507 San Mateo Drive
Boca Raton, Florida 33433

Re: License No. 048564

Dear Dr. Saline:

Effective Date March 20, 1996

Enclosed please find Order #BPMC 96-516 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 J. Vacanti, M.D.
Chair

Board for Professional Medical Conduct

Enclosure

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

**IN THE MATTER
OF
MYRON SALINE, M.D.**

**SURRENDER
ORDER**

BPMC #96-51

Upon the Application of MYRON SALINE, 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: 11 March 1996

Charles J. Vacanti

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

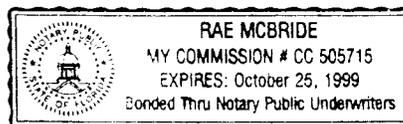
I understand that, in the event that the application is not granted by the State Board for Professional Medical Conduct, nothing contained herein shall be binding upon me or construed to be an admission of any act of misconduct alleged or charged against me, such application shall not be used against 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.

MYRON SALINE, M.D.
Respondent

Sworn to before me this
day of _____, 1996



NOTARY PUBLIC

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

IN THE MATTER
OF
MYRON SALINE, M.D.

APPLICATION TO
SURRENDER
LICENSE

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

Date: 3/3, 1996

Myron Saline
MYRON SALINE, M.D.
Respondent

Date: 3/5, 1996

Daniel Guenzburger
DANIEL GUENZBURGER
Assistant Counsel
Bureau of Professional
Medical Conduct

Date: 3/7, 1996

Anne F. Saile
ANNE F. SAILE
Acting Director
Office of Professional Medical Conduct

Date: 11 March, 1996

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

"EXHIBIT A"

**IN THE MATTER
OF
MYRON SALINE, M.D.**

**STATEMENT
OF
CHARGES**

MYRON SALINE, M.D., the Respondent, was authorized to practice medicine in New York State on or about February 4, 1949, by the issuance of license number 048564 by the New York State Education Department.

FACTUAL ALLEGATIONS

- A. On or about and between April 30, 1985 and September 13, 1993, the Respondent treated Patient A, at his office located at 1057 Rosedale Road, Valley Stream, New York. Respondent treated Patient A, a 29 year old female at the onset of treatment, for "fatigue state" and other conditions. (Patient A and the other patients in the Statement of Charges are identified in the attached Appendix.) During the period of treatment regarding Patient A, Respondent:
1. Failed to take adequate histories.
 2. Failed to perform adequate physical examinations.
 3. Failed to perform appropriate laboratory and other diagnostic testing.
 4. Prescribed the following medications without adequate indication:
 - a. Percocet
 - b. Desyrel
 - c. Restoril
 - d. Halcyon
 - e. Tylenol with codeine

5. Failed to adequately comply with medically accepted substance abuse prevention procedures for the prescribing of controlled substances.
 6. Failed to maintain a record that adequately reflects the evaluation and treatment of Patient A.
- B. On or about and between February 26, 1990 and January 21, 1993, the Respondent issued prescriptions of controlled substances for Patient B, the husband of Patient A. During the period Respondent issued prescriptions for Patient B, he:
1. Failed to take adequate histories.
 2. Failed to perform adequate physical examinations.
 3. Failed to perform appropriate laboratory and other diagnostic testing.
 4. Prescribed the following medications without adequate indication:
 - a. Percocet
 - b. Restoril
 - c. Halcyon
 - d. Tylenol with codeine
 - e. phenaphen with codeine
 - f. Ativan
 5. Failed to adequately comply with medically accepted substance abuse prevention procedures for the prescribing of controlled substances.

6. Knowingly and falsely represented that he issued prescriptions to Patient B in good faith and for legitimate medical purposes, when in fact, Respondent knew that he lacked good faith and legitimate medical purpose for the issuance of the prescriptions.
 7. Failed to maintain a record that adequately reflects the evaluation and treatment of Patient B.
- C. On or about and between June 2, 1988 and December 6, 1993, the Respondent treated Patient C, a female. During the period of treatment regarding Patient C, Respondent:
1. Failed to take adequate histories.
 2. Failed to perform adequate physical examinations.
 3. Failed to perform appropriate laboratory and other diagnostic testing.
 4. Prescribed the following medications without adequate indication:
 - a. Didrex
 - b. Percocet
 - c. Valium
 5. Failed to adequately treat the following conditions:
 - a. Cholecystitis
 - b. Diabetes
 6. Failed to maintain a record that adequately reflects the evaluation and treatment of Patient C.
- D. On or about and between February 1, 1990 and July 9, 1994, the Respondent treated Patient D, a 30 year old male at the onset of treatment. During the

period of treatment regarding Patient D, Respondent:

1. Failed to take adequate histories.
2. Failed to perform adequate physical examinations.
3. Failed to perform appropriate laboratory and other diagnostic testing.
4. Prescribed the following medications without adequate indication:
 - a. Xanax
 - b. Desyrel
5. Failed to maintain a record that adequately reflects the evaluation and treatment of Patient D.

SPECIFICATION OF CHARGES

FIRST SPECIFICATION

NEGLIGENCE ON MORE THAN ONE OCCASION

Respondent is charged with committing professional misconduct as defined in N.Y. Educ. Law §6530(3)(McKinney Supp. 1996) by practicing the profession of medicine with negligence on more than one occasion as alleged in the facts of two or more of the following:

1. Paragraphs A, A1, A2, A3, A4, A4(a), A4(b), A4(c), A4(d), A4(e), A5, A6; B, B1, B2, B3, B4(a) B4(b), B4(c), B4(d), B4(e), B4(f), B5, B6, B7; C, C1, C2, C3, C4(a), C4(b), C4(c), C5(a), C5(b), C6; D, D1, D2, D3, D4, D4(a), D4(b), and/or D5.

SECOND SPECIFICATION
INCOMPETENCE ON MORE THAN ONE OCCASION

Respondent is charged with committing professional misconduct as defined in N.Y. Educ. Law §6530(5)(McKinney Supp. 1996) by practicing the profession of medicine with incompetence on more than one occasion as alleged in the facts of two or more of the following:

2. Paragraphs A, A1, A2, A3, A4, A4(a), A4(b), A4(c), A4(d), A4(e), A5, A6; B, B1, B2, B3, B4(a) B4(b), B4(c), B4(d), B4(e), B4(f), B5, B6, B7; C, C1, C2, C3, C4(a), C4(b), C4(c), C5(a), C5(b), C6; D, D1, D2, D3, D4, D4(a), D4(b), and/or D5.

THIRD SPECIFICATION
GROSS NEGLIGENCE

Respondent is charged with committing professional misconduct as defined in N.Y. Educ. Law §6530(4)(McKinney Supp. 1996) by practicing the profession of medicine with gross negligence as alleged in the facts of the following:

3. Paragraphs A and A5.

FOURTH SPECIFICATION
GROSS INCOMPETENCE

Respondent is charged with committing professional misconduct as defined in N.Y. Educ. Law §6530(6)(McKinney Supp. 1996) by practicing the profession of

medicine with gross incompetence as alleged in the facts of the following:

4. Paragraphs A and A5.

FIFTH SPECIFICATION
FRAUDULENT PRACTICE

Respondent is charged with committing professional misconduct as defined by N.Y. Educ. Law §6530(2)(McKinney Supp. 1996) by practicing the profession of medicine fraudulently as alleged in the facts of the following:

5. Paragraphs B and B6.

SIXTH THROUGH NINTH SPECIFICATIONS
FAILURE TO MAINTAIN RECORDS

Respondent is charged with committing professional misconduct as defined in N.Y. Educ. Law §6530(32)(McKinney Supp. 1996) by failing to maintain a record for each patient which accurately reflects the evaluation and treatment of the patient, as alleged in the facts of:

6. Paragraphs A and A6.
7. Paragraphs B and B7.
8. Paragraphs C and C6.
9. Paragraphs D and D5.

DATED: February , 1996
New York, New York

ROY NEMERSON
Deputy Counsel
Bureau of Professional
Medical Conduct