



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

February 29, 1996

CERTIFIED MAIL-RETURN RECEIPT REQUESTED

Robert D. Staton, M.D.
Veterans Administration Hospital
Elm Street & 21st Avenue
Fargo, North Dakota 58102

Re: NY License No. 130551

Dear Dr. Staton:

Effective Date: 03/07/96

Enclosed please find Order #BPMC 96-33 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

cc: Craig R. Campbell, Esq.
Gunhus, Grinnell, Klinger, Swenson & Guy, Ltd.
P.O. Box 1077
Moorhead, Minnesota 56561-1077

E. Marta Sachey, M.D.

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

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IN THE MATTER :
OF : ORDER
ROBERT D. STATON, M.D. : BPMC #96-33

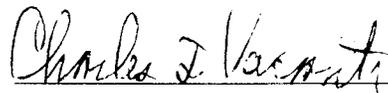
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Upon the Application of ROBERT D. STATON, M.D. (Respondent) for Consent Order, which Application is made a part hereof, it is ORDERED, that the Application and the provisions thereof are hereby adopted and so ORDERED, and it is further

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: 26 February 1996



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
OF : FOR
ROBERT D. STATON, M.D. : CONSENT
: ORDER

-----X

~~STATE OF NORTH DAKOTA~~)
MINNESOTA)
COUNTY OF Clay) ss.:

ROBERT D. STATON, M.D., being duly sworn, deposes and says:

1. I was licensed to practice as a physician in New York State on April 22, 1977, having been issued license number 130551 by the New York State Education Department.
2. I am currently registered with the New York State Education Department to practice as a physician in New York State for the period of January 1, 1995 through July 31, 1996 with a registration address of Veterans Administration Medical Center, Fargo, North Dakota 58102.
3. I understand that the New York State Board for Professional Medical Conduct has charged me with one specification of professional misconduct. I further

understand that the factual allegations charged concern my conduct in North Dakota which was resolved in a Stipulation, dated July 28, 1995, entered into by me and the North Dakota State Board of Medical Examiners.

4. A copy of the Statement of Charges is annexed hereto, made a part hereof and marked as "Exhibit A."
5. I admit guilt to the one specification of professional misconduct with which I am charged as set forth in the Statement of Charges.
6. I hereby agree to the following penalties:
 - (a) A two year suspension of my license, such suspension stayed.
 - (b) A two year period of probation under the Terms of Probation set forth and attached hereto as "Exhibit B," which period shall begin and only run during those times that I am engaged in the practice of medicine in New York State.
7. I hereby make this Application to the Board and request that it be granted.
8. 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 charged against me, such Application shall not be used against me in any way and shall be kept in strict confidence during the

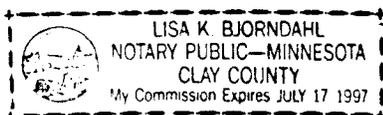
pendency of the professional misconduct disciplinary proceeding; and such denial by the Board shall be made without prejudice to the continuance of any disciplinary proceeding and the final determination by the Board pursuant to the provisions of the Public Health Law.

9. 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.
10. I am making this Application of my own free will and accord and not under duress, compulsion or restraint of any kind or manner.


ROBERT D. STATON, M.D.
RESPONDENT

Sworn to before me this 15th
day of February, 1996.

NOTARY PUBLIC



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

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IN THE MATTER : APPLICATION
OF : FOR
ROBERT D. STATON, M.D. : CONSENT
: 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: 15 February 1996


ROBERT D. STATON, M.D.
Respondent

DATE: February 19, 1996


CRAIG R. CAMPBELL, ESQ.
Attorney for Respondent

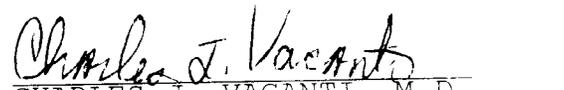
DATE: Feb 20, 1996


E. MARTA SACHEY,
ASSOCIATE COUNSEL
Bureau of Professional
Medical Conduct

DATE: Feb 20 1996


ANNE F. SAILE
ASSISTANT DIRECTOR
Office of Professional Medical
Conduct

DATE: 26 February 1996


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 : STATEMENT
OF : OF
ROBERT D. STATON, M.D., : CHARGES
: Respondent
-----X

ROBERT D. STATON, M.D., the Respondent, was authorized to practice medicine in New York State on April 22, 1977 by the issuance of license number 130551 by the New York State Education Department. Respondent is currently registered with the New York State Education Department to practice medicine in New York State for the period of January 1, 1995 through July 31, 1996 with a registration address of Veterans Administration Medical Center, Fargo, North Dakota 58102.

FACTUAL ALLEGATIONS

1. Respondent, during the approximate ten year period from 1980 to 1990, provided medical care to Patient A, a nurse who was employed where Respondent was employed at the Veterans Administration Medical Center, Fargo, North Dakota, by writing prescriptions for desipramine and/or Prozac on one or two occasions.
2. Respondent, during the approximate period of 1991 through 1993, provided medical care to Patient A by writing prescriptions for Robaxin, Prozac, Valium and/or antibiotics on seven or eight occasions.
3. Respondent maintained no medical records for Patient A and/or kept no record of the drugs he prescribed for her.

SPECIFICATION

Respondent is charged with professional misconduct under N.Y. Educ. Law §6530(32) (McKinney Supp. 1996) by reason of his failing to maintain a record for each patient which accurately reflects the evaluation and treatment of the patient in that, Petitioner charges the facts in Paragraphs 1 through 3.

DATED: *January 30*, 1996
Albany, New York


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

EXHIBIT B

TERMS OF PROBATION

ROBERT D. STATON, M.D.

1. Respondent 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. 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 Department of Health, Corning Tower Building, 4th Floor Empire State Plaza, Albany, New York 12237 [hereafter "OPMC"] 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 to OPMC no later than the first three months of probation, 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.
4. Respondent shall submit to OPMC, no later than the first two months of probation, written proof that (a) 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 medicine in New York State and does not desire to register, and that (b) Respondent has paid any fines which may have previously been imposed upon Respondent by the Board of Regents.
5. Respondent shall comply with the terms and conditions of the Stipulation, dated July 28, 1995, entered into between him and the North Dakota State Board of Medical Examiners, a copy of which is annexed hereto, made a part hereof and marked as "Exhibit C."
6. Respondent, at the direction of OPMC, shall cause the North Dakota Board to submit written notification to OPMC of Respondent's compliance or noncompliance with the aforesaid Stipulation and shall execute any releases or authorizations necessary for the North Dakota Board to provide such notification.

7. Respondent will meet personally with a member of OPMC staff on a semi-annual basis, at the discretion of OPMC.
8. During the period of probation, the Director of OPMC or his/her designees, may review the professional performance of Respondent. This review may include, but not be limited to, a random selection of office records and interviews or periodic visits with Respondent at his office location or one of the offices of OPMC.
9. Respondent will make available for review by OPMC complete copies of any and all medical and office records selected by OPMC.
10. Respondent shall assume and bear all costs related to compliance with the Terms of Probation.
11. Respondent, so long as there is full compliance with every term herein, may practice his 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 by the Public Health Law.

BEFORE THE BOARD OF MEDICAL EXAMINERS

STATE OF NORTH DAKOTA

Commission on Medical Competency,)	
)	
Complainant,)	CASE NO. 4169
)	
vs.)	STIPULATION
)	
R.(Robert) Dennis Staton, M.D.,)	
)	
Respondent.)	

WHEREAS, the North Dakota State Board of Medical Examiners issued a complaint seeking to suspend the Respondent's license to practice medicine in the State of North Dakota pursuant to Sec. 43-17-31(6), and;

WHEREAS, the Respondent agrees that the facts alleged in the complaint of the Commission on Medical Competency dated June 8, 1995, are true and are grounds for disciplinary action by the North Dakota Board of Medical Examiners and that the terms of this stipulation are appropriate;

NOW THEREFORE, it is hereby agreed by and between the Respondent, R. Dennis Staton, M.D., and the North Dakota State Board of Medical Examiners that;

1. The Board may enter its Order suspending the Respondent's license to practice medicine in the State of North Dakota. That Order of Suspension shall be stayed for a period of three (3) years subject to the following conditions:

A. That within six (6) months the Respondent will successfully complete the "Professional Boundaries in the Doctor-Patient Relationship" course taught by John H. Hung, Ph.D., L.P., at Health Psychology Consultants, Suite 200,

EXHIBIT C

Southdale Place, 3400 W. 66th Street, in Edina, Minnesota;

B. That within three (3) months the Respondent will pay to the Board of Medical Examiners an administrative fee in the sum of \$5,000.00;

C. That Respondent will complete any evaluations or examinations that the Board deems necessary.

D. That during the term of this Stipulation the Respondent will not violate any provision of the North Dakota Medical Practice Act or the medical practice act of any other state;

E. That in the event R. Dennis Staton, M.D., should change the address of his residence or his medical practice, he will promptly notify the Board in writing of the new location(s) as well as the dates of departure and return;

2. The Respondent hereby waives any procedural irregularity herein and his right to hearing on the complaint now pending in this action;

3. If, at any time during the three (3) year term of this Stipulation, R. Dennis Staton, M.D., shall fail, neglect, or refuse to fully comply with any of the terms, provisions, or conditions specified herein, the "stay" referred to in Paragraph 2 of this agreement will be rescinded and the Respondent's license to practice medicine in the State of North Dakota shall be suspended in accordance with law.

4. In the event the Board, in its discretion, does not approve this agreement, then this stipulation is withdrawn and shall be of no evidentiary value and shall not be relied upon nor introduced in any disciplinary action by either party hereto except that R. Dennis Staton, M.D.,

agrees that should the Board reject this stipulation and if the case proceeds to hearing, R. Dennis Staton, M.D., will assert no claim that the Board was prejudiced by its review and discussion of this stipulation or of any records relating hereto;

5. That this agreement for the disposition of the above entitled case is a matter of public record and the obligations of the Board with respect thereto shall be governed by the laws of North Dakota and current Board policy;

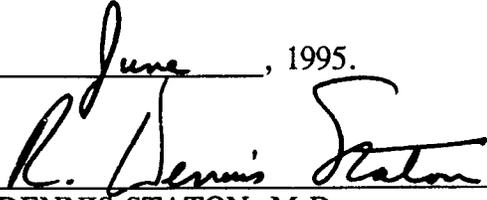
6. That all parties hereto recognize that the representatives of the North Dakota State Board of Medical Examiners who have engaged in discussions relative to an agreed disposition of this matter can only make recommendations to the Board of Medical Examiners, which recommendation can in no way be considered as binding upon the full membership of the Board who would ultimately decide the pending case, and that this agreement is subject to acceptance by the full membership of the Board;

7. That R. Dennis Staton, M.D., understands that he has the right and has been afforded the opportunity to have this document reviewed by his attorneys, and that in the event he chooses to execute this document without taking the opportunity to avail himself of this right, such failure shall be deemed to be a waiver of that right;

8. That R. Dennis Staton, M.D., specifically waives any claim that any disclosures made to the full membership of the Board for the purposes of the consideration of this agreement have prejudiced his rights to a fair and impartial hearing in the event this agreement is not accepted by the full Board and if further proceedings ensue;

9. R. Dennis Staton, M.D., further agrees that there have been no inducements, threats or promises made in order to obtain his entry of this agreement;

10. That the parties further agree that all statements contained herein are based upon the facts known to the Board on the date of execution of this agreement.

Dated this 15th day of June, 1995.


R. DENNIS STATON, M.D.

Dated this 28th day of July, 1995.

NORTH DAKOTA STATE BOARD OF MEDICAL EXAMINERS

By 

ROLF P. SLETTEN
Executive Secretary and Treasurer

