



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

C. Maynard Guest, M.D.
Executive Secretary

August 30, 1995

CERTIFIED MAIL-RETURN RECEIPT REQUESTED

Martin Salpeter, M.D.
69-03 Fresh Pond Road
Ridgewood, New York 11385

RE: License No. 032030

Dear Dr. Salpeter:

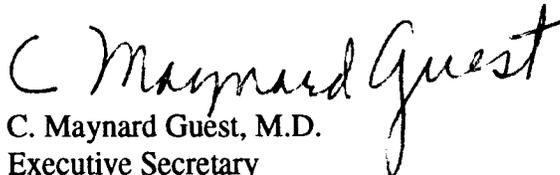
Effective Date: 09/06/95

Enclosed please find Order #BPMC 95-193 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

Enclosure

cc: Robert Asher, Esq.
195 Madison Avenue
New York, New York 10017

Roy Nemerson, Esq.

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

IN THE MATTER
OF
MARTIN SALPETER, M.D.

SURRENDER
ORDER
BPMC #95-193

Upon the Application of MARTIN SALPETER, 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

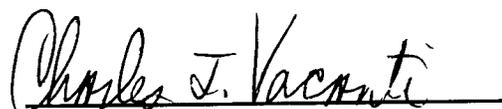
ORDERED, that the application and the provisions thereof are hereby adopted; it is further

ORDERED, that on October 16, 1995 the name of Respondent shall 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: 23 August 1995



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
MARTIN SALPETER , M.D.

APPLICATION TO
SURRENDER
LICENSE

STATE OF NEW YORK)
COUNTY OF) ss.:

MARTIN SALPETER, M.D., being duly sworn, deposes and says:

On or about June 25, 1936, I was licensed to practice medicine as a physician in the State of New York having been issued License No. 032030 by the New York State Education Department.

My current address is 69-03 Fresh pond Road, Ridgewood, New York 11385, 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 nine (9) specifications 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 effective as of October 16, 1995, on the grounds that I cannot successfully defend the Specifications contained in 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.

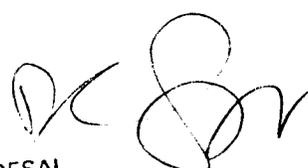
I am making this Application of my own free will and accord and not under duress, compulsion, or restraint of any kind or manner.



MARTIN SALPETER, M.D.
Respondent

Sworn to before me this

10 day of August 1995


NOTARY PUBLIC
RAMESH C. DESAI
NOTARY PUBLIC, State of New York
No. 41-4895016
Qualified in Queens County
Commission Expires May 11, 1995

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

IN THE MATTER
OF
MARTIN SALPETER, M.D.

APPLICATION TO
SURRENDER
LICENSE

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

Date: 8/18/95, 1995



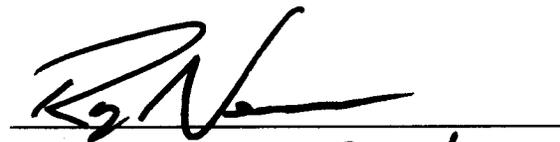
MARTIN SALPETER, M.D.
Respondent

Date: 8/4/95, 1995



ROBERT ASHER, Esq.
Attorney for Respondent

Date: 8/19/95, 1995



Deputy ~~DAVID W. SMITH~~ *Roy Nemeison*
Associate Counsel
Bureau of Professional
Medical Conduct

Date: Aug. 22, 1995



KATHLEEN M. TANNER
Director
Office of Professional Medical Conduct

Date: 23 August, 1995



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
MARTIN SALPETER, M.D.

STATEMENT
OF
CHARGES

MARTIN SALPETER, M.D., the Respondent, was authorized to practice medicine in New York State on or about June 25, 1936, by the issuance of license number 032030 by the New York State Education Department.

FACTUAL ALLEGATIONS

- A. Respondent treated Patient A in his office at 69-03 Fresh Pond Road, Ridgewood, New York on or about November 1, 1990 and January 10, 1991. Respondent also treated Patient A at Wyckoff Heights Hospital, Brooklyn, New York for admissions of on or about January 12, 1990 and April 19, 1990. (All patients mentioned herein are more fully identified in Appendix A)
1. Respondent inappropriately prescribed digoxin in excessive dosages on April 21 and April 24, 1990.
 2. During the hospitalization of April, 1990, respondent inappropriately prescribed bronchodilator medications in combination (i.e., beta agonists and theophylline) without adequate indication.

3. During the hospitalization of April, 1990, Respondent failed to recognize complications from the concomitant administration of bronchodilator medications.
4. Respondent inappropriately prescribed Norpace and Inderal in combination on November 1, 1990 and January 10, 1991 without monitoring for possible development of congestive heart failure as indicated.
5. With regard to both hospital and office records, Respondent failed to sufficiently document information regarding evaluation and treatment.

B. Respondent treated Patient B in his office from on or about September 23, 1983 through August 3 1992.

1. On or about December 26, 1986 and September 13, 1990, respondent cauterized moles on Patient B's nose without first obtaining a biopsy as indicated. (Moles later determined to be nasal cell carcinoma).
2. Respondent failed to investigate and/or recognize anemia in approximately September and December, 1991.
3. Respondent failed to sufficiently document information regarding evaluation and treatment.

C. Respondent treated Patient C in his office on or about November 24, 1987 through December 15, 1989.

- 1. Respondent failed to adequately investigate rectal bleeding, constipation, and other related symptoms.**
- 2. Respondent failed to diagnose colon cancer in a timely manner.**
- 3. Respondent failed to sufficiently document information regarding evaluation and treatment.**

SPECIFICATION OF CHARGES

FIRST SPECIFICATION

PRACTICING WITH NEGLIGENCE ON MORE THAN ONE OCCASION

Respondent is charged with practicing the profession with negligence on more than one occasion under N.Y. Educ. Law §6530(3) (McKinney Supp. 1995); in that Petitioner charges at least two or more of the following:

1. The facts contained in Paragraphs A and A1-5; B and B1-3 and/or C and C1-3.

SECOND SPECIFICATION

PRACTICING WITH INCOMPETENCE ON MORE THAN ONE OCCASION

Respondent is charged with practicing the profession with incompetence on more than one occasion under N.Y. Educ. Law §6530(5) (McKinney Supp. 1995), in that Petitioner charges at least two or more of the following:

2. The facts contained in Paragraphs A and A1-5; B and B1-3 and/or C and C1-3.

THIRD THROUGH FIFTH SPECIFICATIONS
PRACTICING WITH GROSS NEGLIGENCE

Respondent is charged with practicing the profession with gross negligence on a particular occasion under N.Y. Educ. Law §6530(4) (McKinney Supp. 1995), in that Petitioner charges:

3. The facts contained in Paragraphs A and A1-5.
4. The facts contained in Paragraphs B and B1-3.
5. The facts contained in Paragraphs C and C1-3.

SIXTH THROUGH EIGHTH SPECIFICATIONS
PRACTICING WITH GROSS INCOMPETENCE

Respondent is charged with practicing the profession with gross incompetence under N.Y. Educ. Law §6530(6) (McKinney Supp. 1995), in that Petitioner charges:

6. The facts contained in Paragraphs A and A1-5.
7. The facts contained in Paragraphs B and B1-3.
8. The facts contained in Paragraphs C and C1-3.

NINTH SPECIFICATION

FAILURE TO MAINTAIN ADEQUATE RECORDS

Respondent is charged with professional misconduct under N.Y. Educ. Law §6530(32) (McKinney Supp. 1995), in that he failed to maintain records for patients which accurately reflected the evaluation and/or treatment of the patients.

Petitioner charges:

9. The facts contained in Paragraphs A and A5; B and B3; and C and C3.

DATED: May 15, 1995
New York, New York



**ROY NEMERSON
Deputy Counsel
Bureau of Professional
Medical Conduct**