



*New York State Board for Professional Medical Conduct*

433 River Street, Suite 303 Troy, New York 12180-2299 • (518) 402-0863

Antonia C. Novello, M.D., M.P.H.  
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*NYS Department of Health*

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*Executive Deputy Commissioner*  
*NYS Department of Health*

Anne F. Saile, Director  
*Office of Professional Medical Conduct*

**PUBLIC**

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*Chair*

Denise M. Bolan, R.P.A.  
*Vice Chair*

Ansel R. Marks, M.D., J.D.  
*Executive Secretary*

November 4, 1999

**CERTIFIED MAIL-RETURN RECEIPT REQUESTED**

David Elliot Sosin, M.D.  
1700 E. Garry Ave.  
Suite 116  
Santa Ana, CA 92705

RE: License No.: 088155

Dear Dr. Sosin:

Enclosed please find Order #BPMC 99-266 of the New York State Board for Professional Medical Conduct. This Order and any penalty provided therein goes into effect **November 4, 1999.**

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 to Board for Professional Medical Conduct, New York State Department of Health, Hedley Park Place, Suite 303, 433 River Street, Troy, New York 12180.

Sincerely,

Ansel R. Marks, M.D., J.D.  
Executive Secretary  
Board for Professional Medical Conduct

Enclosure

cc: Timothy Stafford, Esq.  
Stafford & Hall  
1851 East First Street  
Suite 1010  
Santa Ana, CA 92705

Robert Bogan, Esq.

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

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IN THE MATTER	SURRENDER
OF	ORDER
DAVID ELLIOT SOSIN. M.D.	BPMC #99-266

-----X

DAVID ELLIOT SOSIN, M.D., says,

On or about September 5, 1962, I was licensed to practice medicine as a physician in the State of New York having been issued License No. 088155 by the New York State Education Department. My address is 1700 West Garry Avenue, Suite 116, Santa Ana, California 92705.

I understand that I have been charged with two (2) 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 an agreement to allow me to surrender my license as a physician in the State of New York and request that the Board issue this Surrender Order.

I agree not to contest the two (2) specifications set forth in the Statement of Charges.

I understand that, in the event that this proposed agreement 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 proposed agreement 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 agrees with my proposal, this Order shall be issued striking my name from the roster of physicians in the State of New York without further notice to me. I agree that this Order shall be effective upon issuance by the Board, which may be accomplished by mailing, by first class mail, a copy of the Order to me at the address set forth above, or to my attorney, or upon transmission via facsimile to me or my attorney, whichever is earliest.

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

A handwritten signature in black ink, appearing to read "David Elliot Sosin", written in a cursive style.

DAVID ELLIOT SOSIN, M.D.  
Respondent

AGREED TO:

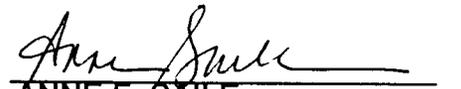
Date: 10-25, 1999

  
TIMOTHY STAFFORD, ESQ.  
Attorney for the Respondent

Date: 10/26/, 1999

  
ROBERT BOGAN  
Assistant Counsel  
Bureau of Professional  
Medical Conduct

Date: 10/27/99, 1999

  
ANNE F. SAILE  
Director, Office of  
Professional Medical Conduct

ORDER

Upon the proposed agreement of DAVID ELLIOT SOSIN, M.D., to Surrender his license as a physician in the State of New York, which proposed agreement is made a part hereof, it is AGREED TO and

ORDERED, that the proposed agreement 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 be effective upon issuance by the Board, which may be accomplished by mailing, by first class mail, a copy of this Order to Respondent at the address set forth in this agreement or to Respondent's attorney, or upon transmissions via facsimile to Respondent or Respondent's attorney, whichever is earliest.

DATED: 10/30/99

  
WILLIAM P. DILLON, M.D.  
Chair  
State Board for Professional  
Medical Conduct

EXHIBIT A

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

**IN THE MATTER  
OF  
DAVID ELLIOT SOSIN, M.D.**

**STATEMENT  
OF  
CHARGES**

DAVID ELLIOT SOSIN, M.D., the Respondent, was authorized to practice medicine in New York state on November 14, 1962, by the issuance of license number 088155 by the New York State Education Department.

**FACTUAL ALLEGATIONS**

A. On or about May 13, 1999, the Division of Medical Quality, Medical Board of California, Department of Consumer Affairs, (hereinafter "California Board"), entered a Decision (hereinafter "California Decision"), that adopted an April 15, 1999 Stipulation in Settlement and Decision, (hereinafter "California Settlement"), that revoked the Respondent's certificate to practice medicine, stayed the revocation, placed Respondent on probation for three (3) years, and ordered him to pay \$3,000.00 costs, based on gross negligence, incompetence, and repeated acts of negligence, in that he prescribed excessive amounts of drugs, administered drugs without a good faith prior examination, and failed to document a psychiatric evaluation to substantiate a diagnosis.

B. The conduct resulting in the California Board's disciplinary action against Respondent would constitute misconduct under the laws of New York state, pursuant to the following sections of New York state law:

1. New York Education Law §6530(3) (negligence on more than one occasion);

~~2. New York Education Law §6530(4) (gross negligence on a particular occasion);~~

~~3. New York Education Law §6530(5) (incompetence on more than one occasion);~~

~~4. New York Education Law §6530(16) (failure to comply with provisions of federal, state, or local laws governing the practice of medicine); and/or~~

~~5. New York Education Law §6530(25) (ordering excessive treatment not warranted by the condition of the patient).~~

**SPECIFICATIONS**

**FIRST SPECIFICATION**

*Stipulated Agreement with the California Medical Board for*  
Respondent violated New York Education Law §6530(9)(b) *through* by having been found guilty of improper professional practice or professional misconduct by a duly authorized professional disciplinary agency of another state where the conduct upon which the finding was based would, if committed in New York state, constitute professional misconduct under the laws of New York state, in that Petitioner charges:

1. The facts in paragraphs A and/or B.

## **SECOND SPECIFICATION**

Respondent violated New York State Education Law §6530(9)(d) by having had disciplinary action taken against him by a duly authorized professional disciplinary agency of another state, where the conduct resulting in the disciplinary action would, if committed in New York state, constitute professional misconduct under the laws of New York state, in that Petitioner charges:

2. The facts in paragraphs A and/or B.

DATED: *Sept. 27* 1999  
Albany, New York

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