



**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**

Arthur Livingston, M.D.  
301 East 87th Street  
Suite 21 E  
New York, New York 10128

RE: License No. 081142

Dear Dr. Livingston:

Effective Date: 09/06/95

Enclosed please find Order #BPMC 95-196 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

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

-----X

IN THE MATTER :  
OF : ORDER  
E. ARTHUR LIVINGSTON, M.D. : BPMC# 95-196

-----X

Upon the application of E. Arthur Livingston, 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 July 1995

Charles J. Vacanti

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

-----X

IN THE MATTER : APPLICATION  
OF : FOR  
E. ARTHUR LIVINGSTON, M.D. : CONSENT  
: ORDER

-----X

STATE OF NEW YORK )  
COUNTY OF NEW YORK ) SS.:

E. Arthur Livingston, M.D., being duly sworn, deposes and says:

That on or about August 26, 1958, I was licensed to practice as a physician in the State of New York, having been issued License No. 081142 by the New York State Education Department.

I am currently registered with the New York State Education Department to practice as a physician in the State of New York. My current address is 301 East 87th Street, Suite 21E New York, NY 10128.

I understand that the New York State Board for Professional Medical Conduct has charged me with professional misconduct.

A copy of the Statement of Charges is annexed hereto, made a part hereof, and marked as Exhibit "A".

I admit guilt to the Specification of Misconduct in full satisfaction of the charges against me.

I hereby agree to the penalty that my license to practice

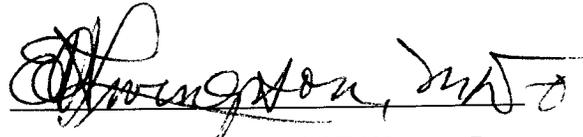
medicine in the State of New York be limited (pursuant to N.Y. Public Health Law section 230-a(3) (McKinney Supp. 1995)) to the practice of Organizational and Occupational Psychiatry, as that practice is defined in Exhibit C, attached hereto, except that I shall be permitted to practice as if my license were not so limited, solely in my continuing treatment of Patients EB, GC, BPM, and AR (identified in Exhibit D which shall not be publicly disclosable). I agree further that my license be suspended for a period of three years (pursuant to N.Y. Public Health Law section 230-a(2) (a) (McKinney Supp. 1995)) with such suspension to be **entirely stayed**, and that I be placed on probation subject to the terms enumerated in Exhibit B, attached hereto, for a period of five years. Said period of probation shall be tolled upon and during any period of withdrawal from the practice of medicine in New York State.

I hereby make this Application to the State Board for Professional Medical Conduct (the Board) and request that it be granted.

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 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 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.

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.

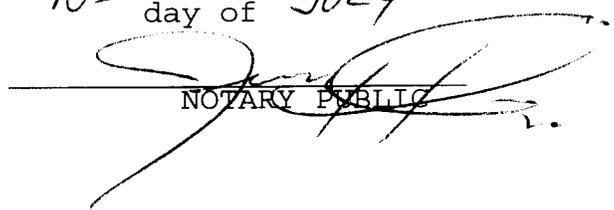
I am making this Application of my own free will and accord and not under duress, compulsion or restraint of any kind or manner.



E. ARTHUR LIVINGSTON, M.D.  
RESPONDENT

Sworn to before me this

10<sup>th</sup> day of JULY 1995.



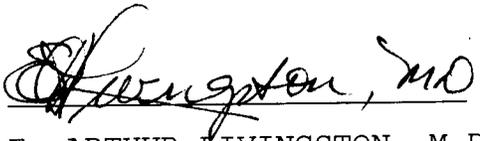
NOTARY PUBLIC

TONY L. PEREZ  
Notary Public, State of New York  
No. 31-5002406  
Qualified in New York County  
Certified in New York County  
Commission Expires Sept. 28, 1996

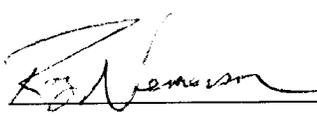
STATE OF NEW YORK : DEPARTMENT OF HEALTH  
STATE BOARD FOR PROFESSIONAL MEDICAL CONDUCT

-----X  
IN THE MATTER : APPLICATION  
OF : FOR  
E. ARTHUR LIVINGSTON, 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: July 10, 1995   
E. ARTHUR LIVINGSTON, M.D.  
Respondent

DATE: 7-13-95   
ANTHONY SOLA, ESQ.  
Attorney for Respondent

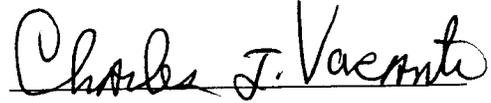
DATE: 7/21/95   
ROY NEMERSON  
DEPUTY COUNSEL  
Bureau of Professional  
Medical Conduct

DATE: July 26, 1995



KATHLEEN M. TANNER  
DIRECTOR  
Office of Professional  
Medical Conduct

DATE: 26 July 1995



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

EXHIBIT A

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

-----X

IN THE MATTER : STATEMENT  
OF : OF  
E. ARTHUR LIVINGSTON, M.D. : CHARGES

-----X

E. Arthur Livingston, M.D., the Respondent, was authorized to practice medicine in New York State in 1958, by the issuance of license number 081142 by the New York State Education Department. The Respondent is currently registered with the New York State Education Department to practice medicine for the period January 1, 1997, through ~~December 31, 1994~~ <sup>SEPTEMBER 30, 1996</sup>, with a registration address of 301 East 87th Street, New York, NY 10128.

FACTUAL ALLEGATIONS

A. Between approximately 1976 and 1979, Respondent, a psychiatrist, treated Patient A (identified in Appendix A) at his professional office. On repeated occasions during the approximate period of 1978 through 1979, Respondent engaged in sexual relations with Patient A.

SPECIFICATION OF MISCONDUCT

Respondent is charged with professional misconduct as

defined by N.Y. Educ. Law section 6530(3) (McKinney Supp. 1995) in that he practiced the profession of medicine with negligence on more than one occasion as alleged in:

1. Paragraph A.

DATED: \_\_\_\_\_, 1995  
New York, New York

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ROY NEMERSON  
Deputy Counsel  
Bureau of Professional  
Medical Conduct

EXHIBIT "B"

TERMS OF PROBATION

1. E. ARTHUR LIVINGSTON, M.D., 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. That 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 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 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, said proof from DPLS to be submitted by Respondent to the New York State Department of Health, addressed to the Director, Office of Professional Medical Conduct, as aforesaid, no later than the first three months of the period of probation;
4. Respondent shall submit written proof to the NYSDOH, addressed to the Director, Office of Professional Medical Conduct, as aforesaid, that 1) 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 Respondent's profession in the State of New York and does not desire to register, and that 2) Respondent has paid any fines which may have previously been imposed upon Respondent by the Board or by the Board of Regents; said proof of the above to be submitted no later than the first two months of the period of probation;
5. Respondent shall comply with all terms, conditions, restrictions, and penalties to which he is subject pursuant to the order of the Board;
6. Respondent shall meet annually with a representative of the Office of Professional Medical Conduct, at a time and place set by the that Office. Respondent shall provide whatever evidence the Office deems necessary to assess his compliance with the limitations placed upon his license. He shall,

upon the request of the Office, provide complete and accurate records documenting his care and treatment of the four patients identified in Exhibit "D", as often as once per calendar quarter if so requested by the Office.

7. Any civil penalty not paid by the date prescribed herein shall be subject to all provisions of law relating to debt collection by the State of New York. This includes but is not limited to the imposition of interest, late payment charges and collection fees; referral to the New York State Department of Taxation and Finance for collection; and non-renewal of permits or licenses (Tax Law section 171(27); State Finance Law section 18; CPLR section 5001; Executive Law section 32).
8. So long as there is full compliance with every term herein set forth, Respondent may continue to practice his or her aforementioned 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 pursuant to the Public Health Law.

*EXHIBIT C*

ACADEMY OF ORGANIZATIONAL

**AOOP**

AND OCCUPATIONAL PSYCHIATRY

# **REFERRAL DIRECTORY**

1993-94 Edition

Published by

THE ACADEMY OF ORGANIZATIONAL & OCCUPATIONAL PSYCHIATRY  
Executive Office, Dallas, Texas

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## PREFACE

### WHAT IS ORGANIZATIONAL AND OCCUPATIONAL PSYCHIATRY?

Work is central to our identity and sense of well-being. Freud observed that both work and love are essential in maintaining emotional, physical and mental health. Organizational and Occupational Psychiatry is one of the original specialty areas of psychiatry. Its primary focus is on the relationship of work to general well-being and mental health.

Organizational and occupational psychiatry - also called industrial, workplace or corporate psychiatry - is concerned with adaptation of the individual to the workplace. Organizational and occupational psychiatrists study the psychopathology brought to and resulting from the work setting, as well as factors that stimulate healthy behavior and functioning. Then, organizational and occupational psychiatrists utilize clinical, consultative, educational and preventive interventions and strategies to facilitate the process of working and loving well.

Today's workplace is characterized by downsizing, mergers, skyrocketing health and mental health costs, a dysfunctional workers' compensation system, increasing worker disability, violence among employees, substance abuse, impaired executives and more.

The International Labor Organization of the United Nations describes Job Stress as the 20th Century Disease. In a recent report they state that work stress is increasing to the point of a worldwide epidemic affecting most occupations. In the U.S. alone, work stress is estimated to cost \$200 billion annually from compensation claims, absenteeism, reduced productivity, and health costs.

Furthermore, more than two-thirds of psychiatric illness in the workplace goes unrecognized. And of those illnesses recognized, 85 percent are diagnosed and treated by non-psychiatrist personnel.

For more than 70 years, organizational and occupational psychiatrists have pioneered in the diagnosis, treatment and research of work-health-mental health conditions. Unlike psychologists, social workers and other occupational health and mental health personnel, only organizational and occupational psychiatrists have the medical and psychiatric training and expertise to address the complexities of workplace health and mental health issues.

## **THE ACADEMY OF ORGANIZATIONAL AND OCCUPATIONAL PSYCHIATRY**

The Academy of Organizational and Occupational Psychiatry was founded in 1990 to provide a forum for an exchange of ideas between Psychiatry and the world of work. Its mission is to enhance the knowledge and skills of its members through various training opportunities, to provide a referral network for members to encourage and support the practice of organizational and occupational psychiatry, and to liaison with other groups such as the APA Committee of Occupational Psychiatry, the GAP Committee on Psychiatry and Industry, and the American College of Occupational and Environmental Medicine.

[ AOOD members practice in diverse settings including solo or group practice, managed care, academia, the military and corporate medical departments. They provide a variety of services including:

**INDIVIDUAL CLINICAL SERVICES:** Assessment and Brief Therapy; Disability Evaluations; Fitness for Duty Evaluations; Worker's Compensation Evaluations; Forensic Evaluations and Testimony.

**CLINICAL SUPERVISION:** Case Management; Employee Assistance Programs; Managed Care.

**EXECUTIVE CONSULTATION:** Evaluation and Referral; Executive Seminars; Coaching; Policy Advisement.

**ORGANIZATIONAL CONSULTING:** Education and Training; Trauma Intervention; Transitional Consulting on Mergers and Downsizing; Organizational Change. ]

### **MEMBERSHIP CATEGORIES AND REQUIREMENTS**

Currently, there are three membership categories. Full membership status is available to board certified psychiatrists with interest and experience in organizational and occupational psychiatry. Associate membership status is available to physicians who have complete psychiatry residency requirements and are board eligible. Member-in-training status is available for physicians who are currently completing an approved psychiatry residency.