



**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

June 27, 1995

**CERTIFIED MAIL - RETURN RECEIPT REQUESTED**

Gerard Del Grippo, M.D.  
104 West Water Street  
Lock Haven, Pennsylvania 17754

License No. 072767  
Effective Date: 07/04/95

Dear Dr. Del Grippo:

Enclosed please find Order #BPMC 95-134 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: Frederick Zimmer, Esq.

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

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IN THE MATTER :

OF :

GERARD A. DELGRIPPO, M.D.,

ORDER

BPMC #95-134

RESPONDENT

-----X

Upon the Application of GERARD A. DELGRIPPO, 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: 26 June 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 TO  
OF : SURRENDER  
GERARD A. DEL GRIPPO, M.D., : LICENSE  
Respondent

-----X

STATE OF NEW YORK )

SS.:

COUNTY OF CLINTON )

Gerard A. Del Grippo, M.D., being duly sworn, deposes and says:

On or about September 5, 1952, I was licensed to practice medicine as a physician in the State of New York having been issued License No. 072767 by the New York State Education Department.

I am not currently registered with the New York State Education Department to practice as a physician in the State of New York.

I understand that I have been charged with two 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 on the grounds that I do not contest the specifications set forth in the Statement of Charges (Exhibit A).

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.

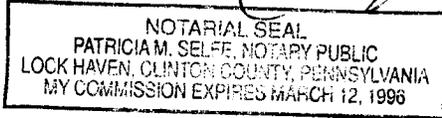
Gerard A. del Grippo Esq. M.D.

Gerard A. Del Grippo, M.D.  
Respondent

Sworn to before me this

16th day of June, 1995

Patricia M. Selfe  
NOTARY PUBLIC



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

-----X

IN THE MATTER : APPLICATION TO  
OF : SURRENDER  
Gerard A. Del Grippo, M.D., : LICENSE  
Respondent

-----X

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

Date: 6/16, 1995

Gerard A. Del Grippo, M.D.

Gerard A. Del Grippo, M.D.  
Respondent

Date: 6/20, 1995

Frederick Zimmer

Frederick Zimmer  
Assistant Counsel  
Bureau of Professional  
Medical Conduct

~~Date: \_\_\_\_\_, 1995~~

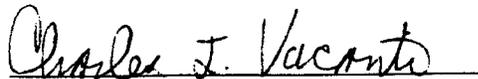
~~\_\_\_\_\_  
Attorney for Respondent~~

Date: 6/23, 1995



KATHLEEN M. TANNER  
Director, Office of  
Professional Medical Conduct

Date: 26 June 1995



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 : STATEMENT  
OF : OF  
GERARD A. DEL GRIPPO, M.D., CHARGES

Respondent :  
-----X

Gerard A. Del Grippo, M.D., the Respondent, was authorized to practice medicine in New York State on September 5, 1952, by the issuance of license number 072767 by the New York State Education Department.

**FACTUAL ALLEGATIONS**

A. The Criminal Division of the Court of Common Pleas of Dauphin County, following a plea of nolo contendere by Respondent on December 23, 1992, fined Respondent in the amount of Two Hundred Dollars (\$200) plus costs and required him to pay restitution to the Pennsylvania Department of Public Welfare in the amount of Seventy One Thousand Eight Hundred and Eighty Six Dollars (\$71,886) for one count of violating 62 Pennsylvania Statutes 1407 (a) (6) in that on or about various occasions from January 2, 1986 through November 15, 1990, as part of a continuing course of conduct, Respondent, a provider in the Medical Assistance Program, referred Medical Assistance Program recipients to another provider by prescriptions for controlled substances which were not documented in the record in the

EXHIBIT A

prescribed manner, were of little or no benefit to the recipient, were below the accepted medical treatment standards or were unneeded by the recipient. The Dauphin County Court also sentenced Respondent to two years of probation to end when all fines, costs and restitution were paid.

B. Respondent was also fined Two Hundred Dollars (\$200) plus costs by the Dauphin County Court, sentenced to two years of probation consecutive to that imposed for the first count and required to pay restitution of Seven Thousand Eight Hundred Fifty Three Dollars and Sixty Seven Cents (\$7,853.67) to the Pennsylvania Attorney General's Office for a second count of violating 62 Pennsylvania Statutes 1407 (a)(6) in that Respondent, on or about various dates from January 2, 1986 through November 15, 1990, as part of a continuing course of conduct, submitted claims to the Medical Assistance Program for payment of services to Medical Assistance recipients which were not documented in the record in the prescribed manner, were of little or no benefit to the recipient, were below the accepted medical treatment standards or were unneeded by the recipient.

C. Respondent's violation of 62 Pennsylvania Statutes 1407 (a)(6) which resulted in his conviction before the Dauphin County Court would constitute professional misconduct under New York State law pursuant to the following provisions of New York State law;

- 1) N.Y. Educ. Law §6530(3) (McKinney Supp. 1995) [practicing

the profession with negligence on more than one occasion] as to the first count described in Paragraph A above; and/or

2) N.Y. Educ. Law §6530(35) (McKinney Supp. 1995) [ordering treatment not warranted by the condition of the patient] as to the first count described in Paragraph A above]; and/or

3) N.Y. Educ. Law §6530(32) (McKinney Supp. 1995) [failing to maintain a record which accurately reflects the evaluation and treatment of the patient] as to the first count described in Paragraph A above.

D. The Commonwealth of Pennsylvania, Department of State, State Board of Medicine (hereinafter "Pennsylvania Board") by an Order dated December 23, 1994, adopted a Consent Agreement entered into between the Pennsylvania Board and Respondent. The Order suspended Respondent's license to practice medicine and surgery for a period of one year with the final nine months of the suspension being stayed subject to Respondent being placed on probation. Additionally, Respondent was fined in the amount of Four Thousand Dollars (\$4,000).

E. The conduct resulting in the Pennsylvania Board's suspension and disciplinary action included, among other things, Respondent's having made misleading, deceptive, untrue or fraudulent representations in the practice of his profession, in violation of 63 Pennsylvania Statutes §422.41 (2) and his having been guilty of immoral or of unprofessional conduct including a

failure to conform to an ethical standard of the profession or to provide medical service at a level meeting the accepted standard of care, in violation of 63 Pennsylvania Statutes §422.41 (8).

F. Respondent admitted in the Consent Order which he entered into with the Pennsylvania Board that he had pled nolo contendere to two counts of Medicaid Fraud (Felony 3) as described in paragraphs A and B above. Respondent also admitted that his license to practice medicine and surgery, based on the facts set forth in the Consent Order, was subject to disciplinary action based on the grounds described in Paragraph E above.

G. The conduct resulting in the Pennsylvania disciplinary action would, if committed in New York State, constitute professional misconduct under the following provisions of New York State law:

1. N.Y. Educ. Law §6530 (2) (McKinney Supp. 1995) [practicing the profession fraudulently]; and/or

2. N.Y. Educ. Law §6530(3) (McKinney Supp. 1995) [practicing the profession with negligence on more than one occasion]; and/or

3. N.Y. Educ. Law §6530(20) (McKinney Supp. 1995) [conduct in the practice of medicine evidencing moral unfitness to practice medicine]; and/or

4. N.Y. Educ. Law §6530 (32) (McKinney Supp. 1995) [failing to maintain a record for each patient which accurately reflects his evaluation and treatment of the patient]; and/or

5. N.Y. Educ. Law §6530 (35) (McKinney Supp. 1995) [ordering of treatment not warranted by the condition of the patient].

#### FIRST SPECIFICATION

Respondent is charged with professional misconduct by reason of his having surrendered his license and having had disciplinary action taken against him by the duly authorized professional disciplinary agency of another state, where the conduct resulting in the suspension and disciplinary action would, if committed in New York State, constitute professional misconduct under the laws of New York State in violation of N.Y. Educ. Law §6530 (9) (d) (McKinney Supp. 1995) in that the Petitioner charges the facts in Paragraphs A, B, D, E, F, G and G.1, G.2, G.3, G.4 and/or G.5.

#### SECOND SPECIFICATION

Respondent is charged with professional misconduct by reason of his having been found guilty in an adjudicatory proceeding of violating a state statute, after resolution of the proceeding by a stipulation or agreement and when the violation would constitute professional misconduct under N.Y. Educ. Law §6530 (McKinney Supp. 1995) in that the Petitioner charges the facts in

Paragraphs A, B, C and C.1, C.2 and/or C.3.

DATED: , 1995  
Albany, New York

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