



**Board for Professional Medical Conduct**

Corning Tower • Empire State Plaza • Albany, NY 12237 • (518) 474-8357

**C. Maynard Guest, M.D.**  
Executive Secretary

January 31, 1992

**CERTIFIED MAIL-RETURN RECEIPT REQUESTED**

Donald L. Weissman, M.D.

Redacted Address

RE: License No. 136792

Effective Date 2/7/92

Dear Dr. Weissman:

Enclosed please find Order #BPMC 92-7 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 12237-0614

Sincerely,

Redacted Signature

C. Maynard Guest, M.D.  
Executive Secretary  
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 :  
OF : ORDER  
DONALD L. WEISSMAN, M.D. : #BPMC 92-7

-----X

Upon the application of DONALD L. WEISSMAN, M.D., 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 the respondent or seven days after mailing by certified mail, and it is further

ORDERED that the licensee may not apply for the restoration of the license affected by the granted application until at least one year has elapsed from the effective date of such order.

SO ORDERED,

DATED: 27 January 1992

Redacted Signature

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 TO  
OF : SURRENDER  
DONALD L. WEISSMAN, M.D. : LICENSE  
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STATE OF CALIFORNIA )  
COUNTY OF LOS ANGELES ) ss.:

DONALD L. WEISSMAN, M.D., being duly sworn, deposes and  
says:

On or about November 17, 1978, I was licensed to practice  
as a physician in the State of New York having been issued  
License No. 136792 by the New York State Education Department.

I am registered with the New York State Education  
Department to practice as a physician in the State of New York  
for the period beginning on January 1, 1991 and ending on  
December 31, 1992. My registration address is Redacted Address

I understand that I have been charged, pursuant to New York  
Educ. Law Sec. 6530(9)(d), with one specification of  
professional misconduct as set forth in the Statement of

Charges, annexed hereto, made a part hereof, and marked as Exhibit "A".

The surrender of my license in California was made pursuant to a written document entitled "Stipulation Re Surrender of License" for the reasons set forth therein.

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 specification of professional misconduct set forth in the New York charges, to wit: "that I surrendered my license after a disciplinary action was instituted by a duly authorized professional disciplinary agency of another state, where the conduct resulting in the surrender of the license, if committed in New York State, would constitute professional misconduct under the laws of New York State."

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 understand that I am entitled to petition for restoration of my license as a physician in the State of New York in accordance with New York Educ. Law Sec. 6511 and 8 NYCRR 17.6.

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

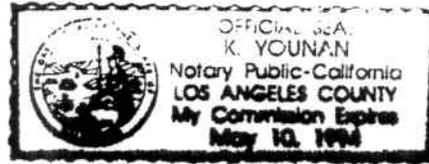
Redacted Signature

DONALD L. WEISSMAN, M.D.  
Respondent

Sworn to before me this  
14<sup>th</sup> day of *January*, 1992

Redacted Signature

NOTARY PUBLIC



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

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IN THE MATTER : APPLICATION TO  
OF : SURRENDER  
DONALD L. WEISSMAN, M.D. : LICENSE  
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The undersigned agree to the attached application of the  
Respondent to surrender his license.

Date: 1/14, 1992

Redacted Signature

\_\_\_\_\_  
DONALD L. WEISSMAN, M.D.  
Respondent

Date: 1/14, 1992

Redacted Signature

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LAWRENCE SUCHAROW, Esq.  
Attorney for Respondent

Date: 1/5, 1992

Redacted Signature

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MARCIA E. KAPLAN  
Associate Counsel  
Bureau of Professional Medical  
Conduct

DONALD L. WEISSMAN, M.D.

Date: Jan. 30, 1992

Redacted Signature

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KATHLEEN M. TANNER  
Director  
Office of Professional Medical  
Conduct

Date: 27 January 1992

Redacted Signature

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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  
DONALD L. WEISSMAN, M.D. : CHARGES  
-----X

DONALD L. WEISSMAN, M.D., the Respondent, was authorized to practice medicine in New York State on November 17, 1978 by the issuance of license number 136792 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, 1991 through December 31, 1992 at Redacted Address

FIRST SPECIFICATION

1. Respondent is charged with professional misconduct within the meaning of New York Educ. Law Section 6530(9)(d), as added by ch. 606, laws of 1991, in that he surrendered his license after a disciplinary action was instituted by a duly authorized professional disciplinary agency of another state, where the conduct resulting in the surrender of the license would, if committed in New York State, constitute professional misconduct under the laws of New York State, specifically:

"EXHIBIT A"

On December 4, 1989, Respondent surrendered his California medical license after a disciplinary action was instituted by the California Board of Medical Quality Assurance (BMQA). In the Stipulation Re Surrender of License, Respondent admitted that BMQA could have made a prima facie case in support of the accusation and agreed, without admitting or denying the truth of the allegations, that cause for discipline existed in accordance with the following allegations:

a. that Respondent's care and treatment of patients D.B. and A.W., on whom he performed breast augmentation and corrective surgeries in 1985 and 1986, and patient B.V., on whom he performed nasal surgery including reconstruction in 1984, was grossly negligent, repeatedly negligent and incompetent in violation of Cal. Bus. and Prof. Code 2234(b)(c) and (d), in that Respondent's records regarding D.B. are missing specified reports and information; the intervals between surgeries on both D.B. and A.W. were too short; and the surgeries on D.B.'s breast and A.W.'s nose had bad results;

b. that Respondent was grossly negligent, repeatedly negligent and engaged in acts of sexual abuse and misconduct with patients D.B. and B.V. in violation of Cal. Bus. and Prof. Code Sections 2234(b) and (c) and 726, in that on numerous occasions during office visits, Respondent made sexual advances and innuendoes to D.B. including explicit and coercive comments as well as sexual touching, and Respondent hugged B.V. and made inappropriate advances and comments to her;

c. that Respondent made and/or signed a false medical document, and presented or caused to be presented false or fraudulent claims for patient D.B., in violation of Cal. Bus. and Prof. Code Sections 2234(e), 2261, 2262, and 810(a), in that Respondent made false

statements regarding D.B.'s complaints in an operation report which was submitted in support of an insurance claim.

The conduct resulting in the surrender, if committed in New York State, would have constituted professional misconduct under New York Educ. Law Section 6530, as added by ch. 606, laws of 1991, as follows: Sec. 6530(4), i.e. practicing the profession with gross negligence on a particular occasion; Sec. 6530(3), i.e. practicing the profession with negligence on more than one occasion; Sec. 6530(5), i.e. practicing the profession with incompetence on more than one occasion; and Sec. 6530(2), i.e. practicing the profession fraudulently.

DATED: New York, New York

*Nov 15, 1997*

Redacted Address

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Chris Stern Hyman  
Counsel  
Bureau of Professional  
Medical Conduct