



New York State 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 of Health

Charles J. Vacanti, M.D.
Chair

November 30, 1995

CERTIFIED MAIL-RETURN RECEIPT REQUESTED

Anis Misak Wassif, M.D.
P.O. Box 1091
Pasadena, Maryland 21122

RE: License No. 108294

Effective Date: 12/07/95

Dear Dr. Wassif:

Enclosed please find Order #BPMC 95-290 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,

Charles Vacanti, M.D.
Chair
Board for Professional Medical Conduct

Enclosure

cc: Paul Stein, Esq.

**IN THE MATTER
OF
ANIS MISAK WASSIF, M.D.**

CONSENT
ORDER
BPMC #95-290

Upon the application of ANIS MISAK WASSIF, 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: 29 November 1995

Charles J. Vacanti

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

**IN THE MATTER
OF
ANIS MISAK WASSIF, M.D.**

APPLICATION
FOR
CONSENT ORDER

STATE OF MARYLAND)

COUNTY OF)

ss.: 216-62-9208

ANNE ARUNDEL

ANIS MISAK WASSIF, M.D., being duly sworn, deposes and says:

That on or about March 8, 1971, I was licensed to practice medicine in the State of New York, having been issued License No. 108294 by the New York State Education Department.

My current address is P.O. Box 1091, Pasadena, Maryland 21122, and I will advise the Director of the Office of Professional Medical Conduct of any change of my address.

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

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

I agree not to contest the allegations, in full satisfaction of the charges against me. I hereby agree to the penalty of two years suspension stayed, with a two year period of probation on conditions specified in Exhibit "B". Said period of probation shall be tolled unless and until I am engaged in the practice of medicine in New York State.

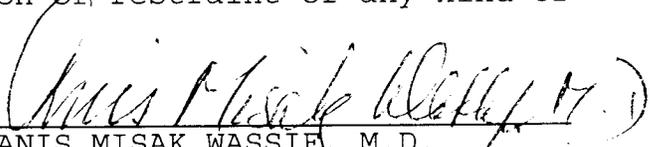
I hereby make this Application to the State Board for

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.


ANIS MISAK WASSIF, M.D.
Respondent

11/18/1995

Sworn to before me this
day of 11-18, 1995.


NOTARY PUBLIC

ROBIN ANN KAPLAN
NOTARY PUBLIC STATE OF MARYLAND
My Commission Expires November 3, 1998

IN THE MATTER
OF
ANIS MISAK WASSIF, M.D.

APPLICATION
FOR
CONSENT ORDER

The undersigned agree to the attached application of the Respondent and to the proposed penalty based on the terms and conditions thereof.

DATE: 11/18/1995

Anis Misak Wassif M.D.
ANIS MISAK WASSIF, M.D.
Respondent

DATE: _____

Attorney for Respondent

DATE: 11-22-95

Paul Stein

PAUL STEIN
Associate Counsel
Bureau of Professional
Medical Conduct

DATE: Nov 29, 1995

Kathleen M. Tanner

KATHLEEN M. TANNER
Director
Office of Professional Medical
Conduct

DATE: 29 November 1995

Charles J. Vacanti

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

-----X

In the Matter : STATEMENT
of : OF
ANIS MISAK WASSIF, M.D. : CHARGES

-----X

ANIS MISAK WASSIF, M.D., the Respondent, was authorized to practice medicine in New York State on March 8, 1971 by the issuance of license number 108294 by the New York State Education Department.

FACTUAL ALLEGATIONS

- A. 1. On or about December 28, 1993, the Maryland Board of Physician Quality Assurance (hereinafter referred to as "the Maryland Board"), after hearing, issued a Final Order finding Respondent guilty, inter alia, of willfully making or filing a false report or record in the practice of medicine, in violation of Maryland Health Occupations Code Ann. sec. 14-404(a)(11), based on findings that Respondent falsified anesthesia records for a period of about 5 years, and in one incident Respondent's Chief of Anesthesiology observed Respondent read a newspaper throughout an entire surgical procedure without recording pertinent information, though the anesthesia report indicated that Respondent had documented data.

2. Pursuant to the Final Order, Respondent was reprimanded and placed on probation for a period of three years subject to various terms and conditions.

3. On or about May 10, 1994, the Maryland Board issued a Modified Order Granting Inactive License (hereinafter referred to as "the Modified Order") in response to Respondent's Application for Inactive License, in which Respondent contended that he had been unable to find employment in the field of anesthesia and planned to retire from the practice of medicine. The Modified Order: granted Respondent an inactive license in the State of Maryland; tolled Respondent's probationary status until such time as Respondent's license to practice medicine in the State of Maryland is reinstated; and prohibited Respondent's practice of medicine in the State of Maryland until Respondent appears before the Maryland Board's Case Resolution Conference and obtains prior approval of the Maryland Board.

SPECIFICATION OF CHARGES

FIRST SPECIFICATION

HAVING HAD DISCIPLINARY ACTION TAKEN BY A DULY AUTHORIZED PROFESSIONAL DISCIPLINARY AGENCY OF ANOTHER STATE

Respondent is charged with professional misconduct within the meaning of N.Y. Educ. Law sec. 6530(9)(d) (McKinney Supp. 1995), in that he had his license to practice medicine revoked, suspended or had other disciplinary action taken after a

disciplinary action was instituted by a duly authorized professional disciplinary agency of another state, where the conduct resulting in the revocation, suspension or other disciplinary action involving the license would, if committed in New York state, constitute professional misconduct under the laws of New York state, namely:

- a. Willfully making or filing a false report, or failing to file a report required by law or by the department of health or the education department or willfully impeding or obstructing such filing, or inducing another person to do so (N.Y. Educ. Law sec. 6530 (21) (McKinney Supp. 1995)); and/or
- b. Failing to maintain a record for each patient which accurately reflects the evaluation and treatment of the patient (N.Y. Educ. Law sec. 6530 (32) (McKinney Supp. 1995)).

as Petitioner specifically alleges:

1. The facts in Paragraph A1 through A3.

Dated: New York, New York
October 13, 1995



ROY NEMERSON
Deputy Counsel
Bureau of Professional
Medical Conduct

EXHIBIT "B"

TERMS OF PROBATION

1. ANIS MISAK WASSIF, 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. 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, and 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, within 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. 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 §171(27); State Finance Law §18; CPLR §5001; Executive Law §32).

7. Respondent's practice shall be monitored by a board-certified anesthesiologist chosen by Respondent and approved by the Director of the Office of Professional Medical Conduct. Respondent shall meet with this monitor at least quarterly, and Respondent shall provide to the monitor at each meeting 30 hospital records of patients to whom Respondent has provided care or treatment. The selection of records for review shall be based on criteria set by the monitor, and the monitor shall have the right to require the production of records in place of those provided originally by Respondent, if in the opinion of the monitor the ones originally provided are not a representative sample of Respondent's practice. The monitor shall provide quarterly reports to the Director of the Office of Professional Medical Conduct as to whether or not Respondent is cooperating with the monitoring requirement and whether or not the care and treatment provided by Respondent to his patients meets the standard of care of the medical community.
8. Respondent shall not practice medicine in New York State until a monitor has been approved by the Director of the Office of Professional Medical Conduct.
9. 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.
10. The period of probation shall be tolled unless and until Respondent engages in the practice of medicine in the State of New York. Respondent shall, within 30 days of the effective date of this Consent Order, notify the Director of the Office of Professional Medical Conduct, in writing, as to whether or not he is so engaged. Furthermore, until completion of the term of probation, he shall notify the Director, in writing, **prior** to any change in that status.