

THE STATE EDUCATION DEPARTMENT / THE UNIVERSITY OF THE STATE OF NEW YORK / ALBANY, N.Y. 12234

OFFICE OF PROFESSIONAL DISCIPLINE  
ONE PARK AVENUE, NEW YORK, NEW YORK 10016-5802

August 15, 1990

Edward Shalhoub, Physician  
60 West 13th Street  
New York, N.Y. 10011

Re: License No. 091633

Dear Dr. Shalhoub:

Enclosed please find Commissioner's Order No. 10901. This Order and any penalty contained therein goes into effect five (5) days after the date of this letter.

If the penalty imposed by the Order is a surrender, revocation or suspension of your license, you must deliver your license and registration to this Department within ten (10) days after the date of this letter. In such a case your penalty goes into effect five (5) days after the date of this letter even if you fail to meet the time requirement of delivering your license and registration to this Department.

Very truly yours,

DANIEL J. KELLEHER  
Director of Investigations

By:

MOIRA A. DORAN  
Supervisor

DJK/MAH/er  
Enclosures

CERTIFIED MAIL- RRR

cc:

**REPORT OF THE  
REGENTS REVIEW COMMITTEE**

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**EDWARD SHALHOUB**

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**CALENDAR NO. 10901**



# The University of the State of New York

IN THE MATTER

of the

Disciplinary Proceeding

against

**EDWARD SHALHOUB**

**No. 10901**

who is currently licensed to practice  
as a physician in the State of New York.

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## **REPORT OF THE REGENTS REVIEW COMMITTEE**

EDWARD SHALHOUB, hereinafter referred to as respondent, was given due notice of this proceeding and informed that he could appear and be represented by an attorney.

On May 31, 1990, the scheduled date of our hearing, neither petitioner nor respondent appeared before us in person pursuant to their May 24, 1990 stipulation which was made part of the record herein.

Petitioner's and respondent's recommendation as to the penalty to be imposed, should respondent be found guilty, was that respondent be Censured and Reprimanded.

We have reviewed the record in this matter; and our unanimous findings of fact, determination as to guilt, and recommendation as to the penalty to be imposed follow:

FINDINGS OF FACT

1. Respondent was licensed to practice as a physician in this State by the New York State Education Department.
2. On July 5, 1989 the Commissioner of Health issued a stipulation and order in which respondent expressly admitted and the Commissioner of Health found that respondent violated New York Public Health Law §2803-d.
3. Respondent was found in violation of a state statute pursuant to a final determination of an agency having the power to conduct the proceeding and after resolution of the proceeding by stipulation, which violation resulting in the final determination would constitute professional misconduct under New York Education Law §6509(11) - - a violation of New York Public Health Law §2803-d - - as set forth in the statement of charges and the record herein.

DETERMINATION AS TO GUILT

The charge contained in the statement of charges, a copy of which is annexed hereto, made a part hereof, and marked as Exhibit "A", has been proven by a preponderance of the evidence and respondent is guilty thereof.

We note that the case of Sood v. Commissioner of Education, 137 A.D.2d 918, 524 N.Y.S.2d 584 (3rd Dept. 1988) is distinguishable from the present case. In Sood, there was no

EDWARD SHALHOUB (10901)

genuine finding or admission of guilt in the stipulation entered into between the Department of Health and the respondent therein. In the present case, there is an express admission of guilt by respondent and a finding of guilt by the Commissioner of Health based on said admission.

**RECOMMENDATION AS TO THE  
PENALTY TO BE IMPOSED**

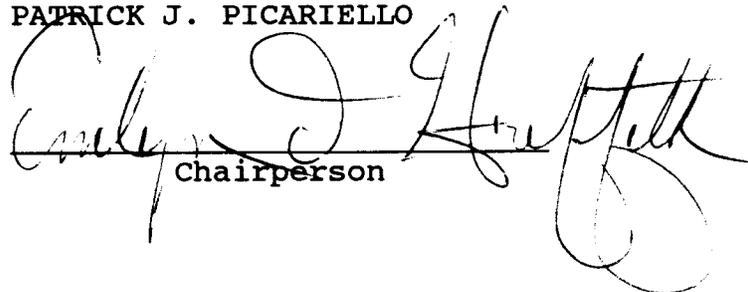
Respondent be Censured and Reprimanded upon the charge of which respondent has been found guilty.

Respectfully submitted,

EMLYN I. GRIFFITH

JANE M. BOLIN

PATRICK J. PICARIELLO

  
Chairperson

Dated:

6/26/90

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

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IN THE MATTER : STATEMENT

OF : OF

EDWARD SHALHOUB, M.D. : CHARGES

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EDWARD SHALHOUB, M.D., the Respondent, was authorized to practice medicine in New York State on December 19, 1963 by the issuance of license number 091633 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, 1989 through December 31, 1991 at 60 West 13th Street, New York, New York 10011.

**FIRST SPECIFICATION**

1. Respondent is charged with professional misconduct within the meaning of N.Y. Educ. Law Section 6509(11) (McKinney 1985) in that he has been found by the Commissioner of Health to be in violation of Section 2803-d of the Public Health Law, specifically:

On July 5, 1989, the Commissioner of the New York State Health Department issued an Order, upon consent of the Respondent, finding the Respondent guilty of a violation of Section 2803-d of the

EXHIBIT "A"

Public Health Law and 10 NYCRR Part 81. Section 2803-d of the Public Health Law provides that notwithstanding the provisions of Public Health Law Section 230, any licensee who commits an act of physical abuse, mistreatment, or neglect of a person receiving care in a residential health care facility shall be guilty of unprofessional misconduct in the practice of his or her profession. The Commissioner found that the Respondent was the primary care physician for a patient at the Village Nursing Home, a residential health care facility, and that he neglected the care of a patient by failing to coordinate the patient's care with other facility staff members. The Order admonished the Respondent for the violation of Public Health Law Section 2803-d.

DATED: New York, New York  
May / , 1990



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Chris Stern Hyman  
Counsel  
Bureau of Professional  
Medical Conduct

**ORDER OF THE COMMISSIONER OF  
EDUCATION OF THE STATE OF NEW YORK**

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**EDWARD SHALHOUB**

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**CALENDAR NO. 10901**



# The University of the State of New York

IN THE MATTER

OF

**EDWARD SHALHOUB**  
(Physician)

**DUPLICATE  
ORIGINAL  
VOTE AND ORDER  
NO. 10901**

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Upon the report of the Regents Review Committee, a copy of which is made a part hereof, the record herein, under Calendar No. 10901, and in accordance with the provisions of Title VIII of the Education Law, it was

**VOTED (July 27, 1990):** That the record herein be accepted, that the findings of fact, determination as to guilt, and recommendation as to the penalty to be imposed rendered by the Regents Review Committee in the matter of EDWARD SHALHOUB, respondent, be accepted; that respondent is guilty of the charge by a preponderance of the evidence; that respondent be Censured and Reprimanded upon the charge of which respondent has been found guilty; and that the Commissioner of Education be empowered to execute, for and on behalf of the Board of Regents, all orders necessary to carry out the terms of this vote;

**and it is**

**ORDERED:** That, pursuant to the above vote of the Board of Regents, said vote 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 five days after mailing by certified mail.

EDWARD SHALHOUB (10901)

IN WITNESS WHEREOF, I, Thomas Sobol,  
Commissioner of Education of the State of  
New York, for and on behalf of the State  
Education Department and the Board of  
Regents, do hereunto set my hand and affix  
the seal of the State Education Department,  
at the City of Albany, this 6<sup>th</sup> day of  
*August*, 1990.

*Thomas Sobol*  
Commissioner of Education