



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

January 8, 1996

CERTIFIED MAIL-RETURN RECEIPT REQUESTED

David C. Saunders, M.D.
Skyline Apartments - Suite 5
753 James Street
Syracuse, NY 13203

Re: License No. 092806

Effective Date: 01/15/96

Dear Dr. Saunders:

Enclosed please find Order #BPMC 96-3 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 J. Vacanti, M.D.
Chair
Board for Professional Medical Conduct

Enclosure

cc: Peter J. Cambs, Esq.
Smith, Sovick, Kendrick & Sugnet, P.C.
250 South Clinton Street, Suite 600
Syracuse, NY 13203-1252

Joseph Huberty, Esq.

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

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IN THE MATTER :
OF : ORDER
DAVID C. SAUNDERS, M.D. : BPMC #96-3

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Upon the application of DAVID C. SAUNDERS, 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: 4 January 1996

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
DAVID G. SAUNDERS, M.D. : CONSENT
ORDER
-----X

STATE OF NEW YORK)
COUNTY OF ONONDAGA) ss.:

Respondent, David G. Saunders, M.D., being duly sworn,
deposes and says:

On or about August 12, 1964 I was licensed to practice as a
physician in the State of New York, having been issued license
number 092806 by the New York State Education Department.

I am currently registered with the New York State Education
Department to practice medicine for the period January 1, 1995
through February 28, 1997. My address, as shown on my current
registration with the New York State Education Department is
Skyline Apartments--Suite 5, 753 James Street, Syracuse, New York
13203.

I understand that the New York State Board For Professional
Medical Conduct has charged me with one Specification of
professional medical misconduct as set forth in the Statement of
Charges annexed hereto, made a part hereof, and marked Exhibit
"A".

I do not contest the charge as set forth in the First
Specification of the Statement of Charges annexed hereto.

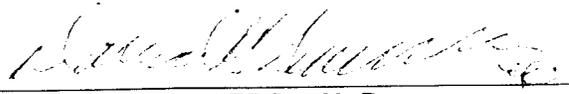
I hereby agree to the penalty that my license to practice medicine in the State of New York be suspended for a period of two (2) years, that the execution of said suspension be stayed, and that I be placed on probation for a period of two (2) years under the Terms Of Probation annexed hereto, made a part hereof and marked Exhibit "B".

I hereby make this application to the Board For Professional Medical Conduct and request that it be granted.

I understand that in the event that this application is not granted by the Board For Professional Medical Conduct, nothing contained herein shall be binding upon me or construed to be an admission of any act of professional 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 any disciplinary proceeding against me. Any such denial by the Board For Professional Medical Conduct shall be without prejudice to the continuance of any disciplinary proceeding and final determination by the Board For Professional medical Conduct.

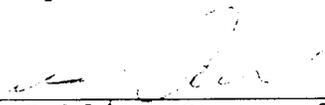
I agree, that in the event the Board For Professional Medical Conduct grants my application, as set forth herein, an order of the Chairperson of the Board For Professional Medical Conduct may issue in accordance with the provisions herein.

No promises of any kind were made 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.



DAVID G. SAUNDERS, M.D.

Sworn to before me this
19th day of December, 1995



Notary Public, State of New York
My Comm. Expires 12 / 3 / 98

PETER J. CAMBS
Notary Public, State of New York
Qualified in Onon. Co. No. 4948045
My Commission Expires Mar. 03, 27

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

-----X
IN THE MATTER : APPLICATION
OF : FOR
DAVID G. SAUNDERS, 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: December 9, 1995
David G. Saunders
DAVID G. SAUNDERS, M.D.
RESPONDENT

Date: December 19, 1995
Peter J. Cambs
PETER J. CAMBS
ATTORNEY FOR RESPONDENT

Date: December 21, 1995
Joseph Huberty
JOSEPH HUBERTY, Asst. Counsel
BUREAU OF PROFESSIONAL MEDICAL
CONDUCT

Date: December 1995
Jan 2 1996
Ann M. Saile
ANN M. SAILE, Director
OFFICE OF PROFESSIONAL MEDICAL
CONDUCT

Date: ~~December 1995~~ *4 January 1996*
Charles J. Vacanti
CHARLES J. VACANTI, M.D.
CHAIRPERSON, STATE BOARD FOR
PROFESSIONAL MEDICAL CONDUCT

TERMS OF PROBATION

1. Respondent, 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 (NYDOH), addressed to the Director, Office of Professional Medical Conduct, New York State Health Department, Empire State Plaza, Tower Building Room 438, 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 New York State Education Department, Division of Professional Licensing Services (DPLS), that Respondent has paid all registration fees due and owing to the New York State Education Department (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 at the end of the first three months of the period of probation.
4. Respondent shall submit written proof to 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

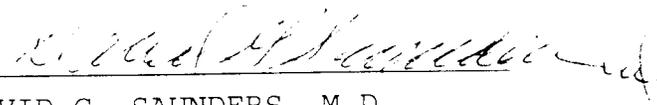
Respondent has advised DPLS, NYSED, that Respondent is not engaging in the practice of Respondent's profession in the State of New York and does not desire to register, and 2) that Respondent has paid any fines which may have previously been imposed upon Respondent by the Board For Professional Medical Conduct, said proof of the above to be submitted no later than at the end of the first two (2) months of Respondent's period of probation;

- 5) During the period of his probation Respondent shall be monitored in his practice by a licensed physician (hereinafter monitoring physician). The selection of said monitoring physician shall be made by Respondent subject to approval of the Director of the Office of Professional Medical Conduct.
6. Respondent shall secure the monitoring physician at his own expense. Said monitoring physician shall monitor Respondent's practice with respect to prescriptions for controlled substances written by Respondent during the period of his probation.
7. Said monitoring physician shall, at least once every three months during the period of Respondent's probation, review Respondent's medical charts with respect to prescriptions written by Respondent for controlled substances and evaluate the propriety and efficacy of the prescriptions so written.
8. Said monitoring physician shall, at least once every three months, or sooner if improprieties are found, make a written report to the Director of the Office of Professional Medical Conduct setting forth his opinion regarding the propriety and efficacy of the controlled substances prescribed by Respondent during the period of review.

9. The written reports of the monitoring physician referred to in paragraph "8" above shall be addressed to the Director, Office of Professional Medical Conduct, New York State Department of Health, Corning Tower Building, Room 438, Albany, New York 12237. It shall be the responsibility of Respondent to make certain of compliance with the provisions of paragraphs numbered "8" and "9" hereof.

I acknowledge receipt of a copy of the above Terms of Probation.

Dated: December 19, 1995



DAVID C. SAUNDERS, M.D.

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

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IN THE MATTER : STATEMENT
OF : OF
DAVID G. SAUNDERS, M.D. : CHARGES

-----X

DAVID G. SAUNDERS, MD., the Respondent, was authorized to practice medicine in the State of New York on August 12, 1964 by the issuance of license number 092806 by the New York State Education Department. Respondent is currently registered with the New York State Education Department to practice medicine for the period January 1, 1995 through February 28, 1997. Respondent's address, as shown on Respondent's last registration with the New York State Education Department is Skyline Apartments--Suite 5, 753 James Street, Syracuse, New York 13203.

FACTUAL ALLEGATIONS

A. Following an investigation by the New York State Department of Health, Bureau of Controlled Substances, on or about June 14, 1995 Respondent signed a stipulation resulting in order # CS 95-12 dated June 23, 1995.

B. By the terms and conditions of the aforesaid stipulation and order Respondent admitted and the Commissioner of Health found:

1. Respondent had violated the provisions of New York Public Health Law Sec. 3332(3) in that between October 1990 and December 1990 on at least ten (10) occasions Respondent wrote prescriptions for Dilaudid 4mg for patient J.S. (all patients are identified in Appendix "A" annexed hereto) in amounts which exceeded a thirty (30) day supply if the drug was taken in accordance with the directions for use.
2. Respondent had violated the provisions of New York State Public Health Law Sections 3332(a) and 3335(2) in that on at least two (2) occasions between November 1990 and December 1990 and on at least one (1) occasion in March 1993, Respondent provided patient J.S. with prescriptions for controlled substances which were written by him on a date earlier than the date of the prescription.
3. Respondent had violated New York Public Health Law Sec. 3343(2) in that on at least twenty six (26) occasions between October 1990 and September 1991 Respondent prescribed controlled substances for patient J.S. for which Respondent failed to keep the required documentation of such prescribing.

SPECIFICATION OF CHARGES

FIRST SPECIFICATION

COMMISSIONER'S FINDING OF VIOLATIONS OF
ARTICLE THIRTY THREE OF THE PUBLIC HEALTH LAW

Petitioner charges Respondent with professional misconduct under N.Y. Educ. Law Sec. 6530(9)(e) (McKinney Supp.1995) in that Respondent was found by the New York State Commissioner of Health to have violated Article Thirty Three of the New York State Public Health Law in that Petitioner charges:

1. The facts in paragraphs A, B, B.1, B.2 and B.3.

Dated: Albany, New York
December 27 1995


PETER D. VAN BUREN, Deputy Counsel
Bureau of professional medical
Conduct