



**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

December 11, 1996

**CERTIFIED MAIL-RETURN RECEIPT REQUESTED**

Norman Levy, M.D.  
296 Lyncroft Road  
New Rochelle, New York 10804

RE: License No. 075834

Dear Dr. Levy:

Effective Date 12/18/96

Enclosed please find Order #BPMC 96-292 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: Anthony Sola, Esq.  
Martin, Clearwater & Bell  
220 East 42nd Street  
New York, New York 10017-5842

Roy Nemerson, Esq.

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

IN THE MATTER  
OF  
NORMAN LEVY, M.D.

CONSENT  
ORDER  
BPMC #96-292

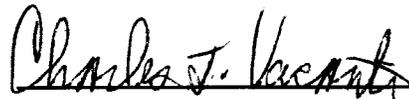
Upon the application of NORMAN LEVY, M.D. (Respondent) for Consent Order, which application is made a part hereof, it is

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: 10 December 1996



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

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

IN THE MATTER  
OF  
NORMAN LEVY, M.D.

APPLICATION  
FOR  
CONSENT ORDER

STATE OF NEW YORK )  
COUNTY OF ) ss.:

NORMAN LEVY, M.D., being duly sworn, deposes and says:

That on or about September 20, 1954, I was licensed to practice as a physician in the State of New York, having been issued License No. 075834 by the New York State Education Department.

My current address is 296 Lyncroft Road, New Rochelle, NY 10804, 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 two specifications 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 first specification of misconduct and I deny the second specification, in full satisfaction of the charges against me. I hereby agree to the penalty that my license to practice medicine in the State of New York be limited (pursuant to N.Y. Public Health Law section 230-a(3)(McKinney Supp. 1996)) to permit me to perform psychotherapy, other than medication management, only in a team setting with regard to female patients. I agree further that my license be suspended for a period of one year (pursuant to N.Y. Public Health Law section 230-a(2)(a)(McKinney Supp. 1996)) with such

suspension to be **stayed**, and that I be placed on probation subject to the terms enumerated in Exhibit B, attached hereto, for a period of three years. Said period of probation shall be tolled upon and during any period of withdrawal from 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. In consideration of the value to me of the acceptance by the Board of this Application, allowing me to resolve this matter without the various risks and burdens of a hearing on the merits, I knowingly waive any right I may have to contest the Consent Order for which I hereby apply, whether administratively or judicially, and ask that the Application be granted.

Norman Levy, M.D.

NORMAN LEVY, M.D.  
RESPONDENT

Sworn to before me this

19<sup>th</sup> day of Apr., 1996

Lisa D. Alonso  
NOTARY PUBLIC

**LISA D. ALONSO**  
Notary Public, State of New York  
No. 01AL4985840  
Qualified in New York County  
Commission Expires Feb. 18, 1998

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

IN THE MATTER  
OF  
NORMAN LEVY, 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: 9/2/96 Norman Levy M.D.

NORMAN LEVY, M.D.  
Respondent

DATE: 9/9/96 [Signature]

ANTHONY SOLA, ESQ.  
Attorney for Respondent

DATE: 11/27/96 [Signature]

ROY NEMERSON  
Deputy Counsel  
Bureau of Professional  
Medical Conduct

DATE: December 3, 1996

Anne Saile

ANNE F. SAILE  
Acting Director  
Office of Professional Medical  
Conduct

DATE: 10 December 1996

Charles J. Vacanti

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

IN THE MATTER  
OF  
NORMAN LEVY, M.D.

STATEMENT  
OF  
CHARGES

NORMAN LEVY, M.D., the Respondent, was authorized to practice medicine in New York State on or about September 20, 1954, by the issuance of license number 075834 by the New York State Education Department.

**FACTUAL ALLEGATIONS**

- A. Beginning in approximately 1971 and continuing through approximately 1973, Respondent rendered psychiatric care to Patient A (Patient A is identified in Appendix A).
1. On repeated occasions during and/or shortly after the period of *formal* treatment sessions, Respondent engaged in conduct and contact of a sexual nature with Patient A.

**SPECIFICATION OF CHARGES**

**FIRST SPECIFICATION**

**NEGLIGENCE ON MORE THAN ONE OCCASION**

Respondent is charged with committing professional misconduct as defined in N.Y. Educ. Law §6530(3)(McKinney Supp. 1996) by practicing the profession of medicine with negligence on more than one occasion as alleged in the facts of two

EXHIBIT "A"

or more of the following:

1. Paragraph A and A1.

**SECOND SPECIFICATION**  
**SEXUAL CONTACT WITH PSYCHIATRIC PATIENT**

Respondent is charged with committing professional misconduct as defined in N.Y. Educ. Law §§6530 (44)(McKinney Supp. 1996) by engaging, in the practice of psychiatry, in physical contact of a sexual nature between the licensee and a patient, as alleged in the facts of the following:

2. Paragraph A and A1.

DATED: August , 1996  
New York, New York

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ROY NEMERSON  
Deputy Counsel  
Bureau of Professional  
Medical Conduct

## EXHIBIT "B"

### TERMS OF PROBATION

1. NORMAN LEVY, M.D., during the period of probation, shall conduct himself/herself in all ways in a manner befitting his/her professional status, and shall conform fully to the moral and professional standards of conduct imposed by law and by his/her 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 and shall assume and bear all costs related to compliance with the Terms of Probation;
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 shall meet annually with a representative of the Office of Professional Medical Conduct, at a time and place set by that Office. Respondent shall provide whatever evidence the Office deems necessary to assess his compliance with the limitations placed upon

his license.

8. 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 limitation and 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.
9. The period of probation shall be tolled until and unless Respondent engages in the active 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/she is so engaged. Furthermore, until completion of the term of probation, he/she shall notify the Director, in writing, prior to any change in that status.