

Public



STATE OF NEW YORK
DEPARTMENT OF HEALTH

433 River Street, Suite 303 Troy, New York 12180-2299

February 23, 2011

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

Michael G. Bass, Esq.
NYS Department of Health
ESP-Corning Tower-Room 2505
Albany, New York 12237-0032

Victor M. Basbus, M.D.
REDACTED

Victor M. Basbus, M.D.
203 West Houston Street
New York, New York 10014-4837

Victor M. Basbus, M.D.
126 East 10th Street
New York, New York 10003-7507

George Weinbaum, Esq.
175 Main Street
White Plains, New York 10601

RE: In the Matter of Victor M. Basbus, M.D.

Dear Parties:

Enclosed please find the Determination and Order (No. 10-216) of the Professional Medical Conduct Administrative Review Board in the above referenced matter. This Determination and Order shall be deemed effective upon receipt **or** seven (7) days after mailing by certified mail as per the provisions of §230, subdivision 10, paragraph (h) of the New York State Public Health Law.

Five days after receipt of this Order, you will be required to deliver to the Board of Professional Medical Conduct your license to practice medicine **if said license has been revoked, annulled, suspended or surrendered**, together with the registration certificate. Delivery shall be by either **certified mail or in person** to:

Office of Professional Medical Conduct
New York State Department of Health
Hedley Park Place
433 River Street-Fourth Floor
Troy, New York 12180

If your license or registration certificate is lost, misplaced or its whereabouts is otherwise unknown, you shall submit an affidavit to that effect. If subsequently you locate the requested items, they must then be delivered to the Office of Professional Medical Conduct in the manner noted above.

This exhausts all administrative remedies in this matter [PHL §230-c(5)].

Sincerely,

REDACTED

James F. Horan, Acting Director
Bureau of Adjudication

JFH:cah

Enclosure

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

In the Matter of

Victor M. Basbus, M.D. (Respondent)

Administrative Review Board (ARB)

A proceeding to review a Determination by a
Committee (Committee) from the Board for
Professional Medical Conduct (BPMC)

Determination and Order No. 10-216

COPY

Before ARB Members D'Anna, Koenig, Wagle, Wilson and Milone
Administrative Law Judge James F. Horan drafted the Determination

After a hearing below, a BPMC Committee determined that the Respondent committed professional misconduct following the Respondent's New York felony convictions for engaging in crimes involving the no-fault insurance system. The Committee voted to revoke the Respondent's license to practice medicine in New York State and to fine the Respondent \$10,000.00. The Respondent then filed a notice requesting administrative review pursuant to New York Public Health Law (PHL) § 230-c (McKinney 2010). The ARB considers that notice is now withdrawn after the Respondent failed to file a timely review brief.

Under PHL § 230-c(4)(a), either the Department or the licensee may request review over a Committee Determination by filing a notice within fourteen days from the Committee's Determination and then filing a review brief within thirty days from filing the notice. The Committee's Determination went to the parties by certified mail on October 28, 2010. The Respondent's counsel mailed a review notice in this case on December 1, 2010. The Administrative Officer for the ARB then advised the parties that the review brief would be due on January 10, 2011 and that the ARB would consider in the review whether the Respondent filed a timely review notice. The ARB received no review brief on January 10, 2011 and no brief since that date.

The failure to submit the brief amounts to a failure to perfect the review notice. This exhausts the administrative remedies in this case.

Peter S. Koenig, Sr.
Datta G. Wagle, M.D.
Linda Prescott Wilson
John A. D'Anna, M.D.
Richard D. Milone, M.D.

In the Matter of Victor M. Basbus, M.D.

Linda Prescott Wilson, an ARB Member concurs in the Determination and Order in the
Matter of Dr. Basbus.

Dated: 21 February, 2011

REDACTED

Linda Prescott Wilson

In the Matter of Victor M. Basbus, M.D.

Peter S. Koenig, Sr., an ARB Member concurs in the Determination and Order in the
Matter of Dr. Basbus.

Dated: 2/19/11, 2011

REDACTED

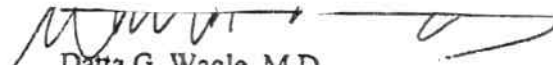
Peter S. Koenig, Sr.

In the Matter of Victor M. Basbus, M.D.

Datta G. Wagle, M.D., an ARB Member concurs in the Determination and Order in the
Matter of Dr. Basbus.

Dated: 2/21, 2011

REDACTED



Datta G. Wagle, M.D.

In the Matter of Victor M. Basbus, M.D.

John A. D'Anna, M.D., an ARB Member concurs in the Determination and Order in the Matter of Dr. Basbus.

Dated: Feb 22, 2011

REDACTED

John A. D'Anna, M.D.

In the Matter of Victor M. Basbus, M.D.

Richard D. Milone, an ARB Member concurs in the Determination and Order in the

Matter of Dr. Basbus.

Dated February 18, 2011

REDACTED

Richard D. Milone, M.D.