

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

December 7, 1990

Streamson Tan Chua, Physician
117 Albany Avenue
Kingston, New York 12401

Re: License No. 109113

Dear Dr. Chua:

Enclosed please find Commissioner's Order No. 11008. 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:

GUSTAVE MARTINE
Supervisor

RECEIVED

DEC 11 1990

Office of Professional
Medical Council

DJK/GM/er
Enclosures

CERTIFIED MAIL- RRR

cc: Joshua N. Koplovitz, Esq.
Wapner, Koplovitz and Futerfas
239 Wall Street
Kingston, N.Y. 12401

**REPORT OF THE
REGENTS REVIEW COMMITTEE**

STREAMSON TAN CHUA

CALENDAR NO. 11008



The University of the State of New York

IN THE MATTER
of the
Disciplinary Proceeding
against

STREAMSON TAN CHUA

No. 11008

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

REPORT OF THE REGENTS REVIEW COMMITTEE

STREAMSON TAN CHUA, 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 September 17, 1990, the scheduled date of our hearing, respondent appeared before us in person and was represented by his attorney, Joshua N. Koplovitz, Esq. Silvia P. Finkelstein, Esq., represented the New York State Department of Health.

Petitioner's recommendation as to the penalty to be imposed, should respondent be found guilty, was 5 year suspension, stayed, probation and maximum community service.

Respondent's recommendation as to the penalty to be imposed, should respondent be found guilty, was 5 year suspension, stayed, probation and maximum community service.

We have reviewed the record in this matter; and our unanimous

STREAMSON TAN CHUA (11008)

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. Respondent was convicted of committing an act constituting a crime, as set forth in the statement of charges and the record herein.

DETERMINATION AS TO GUILT

The charge, 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.

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

Respondent's license to practice as a physician in the State of New York be suspended for three years and respondent be required to perform 100 hours of public service upon the charge of which respondent has been found guilty, and that execution of the last 30 months of said suspension be stayed at which time respondent then be placed on probation for said last 30 months as set forth in the terms of probation which are annexed hereto, made a part hereof, and marked as Exhibit "B".

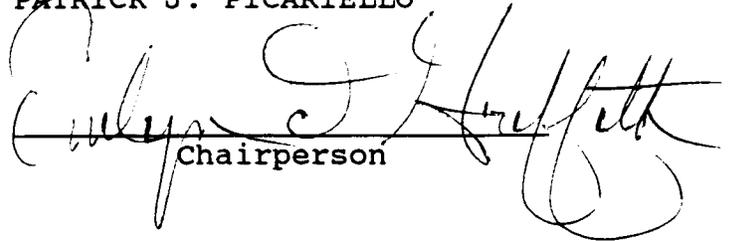
STREAMSON TAN CHUA (11008)

Respectfully submitted,

EMLYN I. GRIFFITH

JANE M. BOLIN

PATRICK J. PICARIELLO


Chairperson

Dated: 10/18/90

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

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IN THE MATTER : STATEMENT
OF : OF
STREAMSON TAN CHUA, M.D. : CHARGES

-----X

STREAMSON TAN CHUA, M.D., the Respondent, was authorized to practice medicine in New York State on July 1, 1971 by the issuance of license number 109113 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. Respondent's registration address is 117 Albany Avenue, Kingston, New York 12401-2509.

FIRST SPECIFICATION

1. Respondent is charged with professional misconduct within the meaning of N.Y. Educ. Law Sec. 6509(5)(a)(i) (McKinney 1985) in that he has been convicted of committing an act constituting a crime under New York Law, in that Petitioner charges:

On or about September 7, 1989, after plea of guilty, in the Superior Court of Ulster County, State of New York, the Respondent was

convicted of one count of Grand Larceny in the Fourth Degree, a Class E Felony, in violation of Section 155.30 of the Penal Law of the State of New York. Between January 1985 and August, 1987, Respondent had filed various Medicaid claim forms which stated that he had provided psychotherapy sessions to various Medicaid recipients for periods longer than he had actually provided. Respondent also submitted claim forms for sessions not provided at all and submitted claim forms for individual psychotherapy sessions when group sessions had been provided.

On or about October 12, 1988, Respondent was sentenced to a conditional discharge, conditioned upon restitution in the sum of Thirty-three Thousand Dollars (\$33,000). Respondent paid Sixteen Thousand Five Hundred Dollars (\$16,500) prior to sentencing. The remaining Sixteen Thousand Five Hundred Dollars (\$16,500) plus nine percent (9%) interest were to be paid by Respondent in monthly installments during the year following sentence.

DATED: New York, New York
June // , 1990



CHRIS STERN HYMAN
Counsel
Bureau of Professional Medical
Conduct

EXHIBIT "B"

TERMS OF PROBATION
OF THE REGENTS REVIEW COMMITTEE

STREAMSON TAN CHUA

CALENDAR NO. 11008

1. That respondent shall make quarterly visits to an employee of and selected by the Office of Professional Medical Conduct of the New York State Department of Health, unless said employee agrees otherwise as to said visits, for the purpose of determining whether respondent is in compliance with the following:
 - a. That respondent, during the period of probation, shall act in all ways in a manner befitting respondent's professional status, and shall conform fully to the moral and professional standards of conduct imposed by law and by respondent's profession;
 - b. That respondent shall submit written notification to the New York State Department of Health, addressed to the Director, Office of Professional Medical Conduct, Empire State Plaza, Albany, NY 12234 of any employment and/or practice, respondent's residence, telephone number, or mailing address, and of any change in respondent's employment, practice, residence, telephone number, or mailing address within or without the State of New York;
 - c. That respondent, during the period of probation has successfully performed 100 hours of public service with Medicaid-eligible patients, said public service to be selected by respondent and previously approved, in writing, by said employee;
 - d. That 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, no later than the first three months of the period of probation; and

- e. That respondent shall submit written proof to the New York State Department of Health, 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 to the New York State Department of Health, 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 of Regents; said proof of the above to be submitted no later than the first two months of the period of probation;
2. If the Director of the Office of Professional Medical Conduct determines that respondent may have violated probation, the Department of Health may initiate a violation of probation proceeding and/or such other proceedings pursuant to the Public Health Law, Education Law, and/or Rules of the Board of Regents.

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

STREAMSON TAN CHUA

CALENDAR NO. 11008



The University of the State of New York

IN THE MATTER

OF

STREAMSON TAN CHUA
(Physician)

**DUPLICATE
ORIGINAL
VOTE AND ORDER
NO. 11008**

Upon the report of the Regents Review Committee, a copy of which is made a part hereof, the record herein, under Calendar No. 11008, and in accordance with the provisions of Title VIII of the Education Law, it was

VOTED (November 16, 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 STREAMSON TAN CHUA, respondent, be accepted; that respondent is guilty of the charge by a preponderance of the evidence; that respondent's license and registration to practice as a physician in the State of New York be suspended for three years and respondent be required to perform 100 hours of public service upon the charge of which respondent has been found guilty; that execution of the last 30 months of said suspension be stayed at which time respondent then be placed on probation for said last 30 months as set forth in the terms of probation prescribed by the Regents Review Committee; 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

STREAMSON TAN CHUA (11008)

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.

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 *25th* day of
November 1990.

Thomas Sobol
Commissioner of Education