

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

---

IN THE MATTER  
  
OF  
  
**THEODORE J. SABOT, M.D.**  
**CO-03-08-3633-A**

---

**COMMISSIONER'S  
ORDER  
AND  
NOTICE OF  
HEARING**

**TO:** THEODORE J. SABOT, M.D.  
23 Walden Lane  
Pittsfield, MA 01201

THEODORE J. SABOT, M.D.  
29 Jones Avenue  
Chatham, NY 01237

The undersigned, Antonia C. Novello, M.D., M.P.H., Dr. P.H., Commissioner of the New York State Department of Health, after an investigation, upon the recommendation of a committee on professional medical conduct of the State Board for Professional Medical Conduct, and upon the Statement of Charges attached, hereto, and made a part hereof, has determined that **THEODORE J. SABOT, M.D.**, Respondent, licensed to practice medicine in New York state on June 9, 1963, by license number 090505, has been found guilty, based on a plea of guilty, of committing acts constituting felony under federal law in the United States District Court, Northern District of New York.

It is therefore,

ORDERED, pursuant to N.Y. Public Health Law Section 230(12)(b), that effective immediately, **THEODORE J. SABOT, M.D.**, Respondent, shall not practice medicine in the State of New York or in any other jurisdiction where that practice is dependent on a valid New York State license to practice medicine. This order shall remain in effect unless modified or vacated by the Commissioner of Health pursuant to N.Y. Public Health Law Section 230(12).

PLEASE TAKE NOTICE that a hearing will be held pursuant to the provisions of N.Y. Public Health Law Section 230, and N.Y. State Admin. Proc. Act Sections 301-307 and 401. The hearing will be conducted before a committee on professional conduct of the State Board of Professional Medical Conduct, on the 22<sup>nd</sup> day of January, 2004 at 10:00 am in the forenoon at Hedley Park Place, 433 River Street, 5<sup>th</sup> Floor, Troy, New York 12180. The Respondent may file an answer to the Statement of Charges with the below-named attorney for the Department of Health.

At the hearing, evidence will be received concerning the allegations set forth in the Statement of Charges, that is attached. A stenographic record of the hearing will be made and the witnesses at the hearing will be sworn and examined. The Respondent shall appear in person at the hearing and may be represented by counsel. The Respondent has the right to produce witnesses and evidence on his behalf, to issue or have subpoenas issued on his behalf for the production of witnesses and documents. Such evidence or sworn testimony shall be strictly limited to evidence and testimony relating to the nature and severity of the penalty to be imposed upon the licensee. Where the charges are based on the conviction of state law crimes in other jurisdictions, evidence may be offered that would show that the conviction would not be a crime in New York state. The Committee also may limit the number of witnesses whose testimony will be received, as well as the length of time any witness will be permitted to testify. Respondent has the right cross-examine witnesses and examine evidence produced against him. A summary of the Department of Health Hearing Rules is enclosed. Pursuant to Section 301(5) of the State Administrative Procedure Act, the Department, upon reasonable notice, will provide at no charge, a qualified interpreter of the deaf to interpret the proceedings to, and the testimony of, any deaf person.

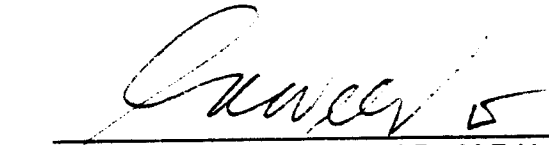
The hearing will proceed whether or not the Respondent appears at the hearing. Scheduled hearing dates are considered dates certain and, therefore, adjournment requests are not routinely granted. Requests for adjournments must be made in writing to the Administrative Law Judge's Office, Hedley Park Place, 433 River Street, 5<sup>th</sup> Floor, Troy, New York 12180 (518-402-0751), upon notice to the attorney for the Department of Health whose name appears below, and at least five days prior to the scheduled hearing date. Claims of court engagement will require detailed affidavits of actual engagement. Claims of illness will require medical documentation.

At the conclusion of the hearing, the committee shall make findings of fact, conclusions concerning the charges sustained or dismissed, and, in the event that any of the charges are sustained, a determination of the penalty or sanction to be imposed or appropriate action to be taken. Such determination may be reviewed by the Administrative Review Board for Professional Medical Conduct.

**THESE PROCEEDINGS MAY RESULT IN A  
DETERMINATION THAT YOUR LICENSE TO  
PRACTICE MEDICINE IN NEW YORK STATE BE  
REVOKED OR SUSPENDED, AND/OR THAT  
YOU MAY BE FINED OR SUBJECT TO OTHER  
SANCTIONS SET FORTH IN NEW YORK PUBLIC  
HEALTH LAW SECTION 230-A. YOU ARE  
URGED TO OBTAIN AN ATTORNEY FOR THIS  
MATTER.**

DATED: Albany, New York

*December 15*, 2003

  
ANTONIA C. NOVELLO, M.D., M.P.H, Dr. P.H.,  
Commissioner

Inquires should be addressed to:

Robert Bogan  
Associate Counsel  
Office of Professional Medical Conduct  
433 River Street - Suite 303  
Troy, New York 12180  
(518) 402-0828

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

---

IN THE MATTER  
OF  
THEODORE J. SABOT, M.D.  
CO-03-08-3633-A

---

STATEMENT  
OF  
CHARGES

**THEODORE J. SABOT, M.D.**, the Respondent, was authorized to practice medicine in New York state on June 19, 1963 to February 16, 1988, and from December 3, 1990 to present, by the issuance of license number 090505 by the New York State Education Department.

**FACTUAL ALLEGATIONS**

A. On or about January 18, 1985, in the Superior Court, Department No. 1, County of Sacramento, California, Respondent was found guilty, based on a plea of guilty, of a violation of section 487(1) and 12022.6(b) of the California Penal Code, a felony, in that on or about and between August 1, 1981 and May 29, 1984, while residing in New York, he submitted in excess three thousand (3,000) claims for approximately \$400,000.00, to the California Medi-Call (Medicaid) Program for psychiatric services that were not rendered and on or about May 15, 1985, was sentenced to five (5) years prison, a \$5,000.00 fine, and a \$3,500.00 penalty.

B. On or about November 1, 1994, Respondent falsely prepared by and submitted to the Rensselaer County Civil Service Commissioner, an Application for Examination or Employment, wherein he falsely answered "No" to question "7. CHECK APPROPRIATE BOX TO THE RIGHT OF EACH QUESTION. D. Have you ever been convicted of any crime (felony or misdemeanor)?"

C. On or about January 24, 2003, in the United States District Court for the Northern District of New York, Respondent was found guilty, based on a plea of guilty, of Health Care Fraud, in violation of Title 18, U.S.C. §1347 and 2, a felony, and was sentenced to four (4) months imprisonment, three (3) years probation after release from imprisonment to include four (4) months Home Detention, \$2,211.33 restitution, a \$5,000.00 fine, and a \$100.00 assessment.

**SPECIFICATIONS**

**FIRST SPECIFICATION**

Respondent violated New York Education Law §6530(2) by practicing the profession fraudulently, in that Petitioner charges:

1. The facts in Paragraphs A and/or B.

**SECOND SPECIFICATION**

Respondent violated New York Education Law §6530(9)(a)(ii) by having been convicted of committing acts constituting a crime under federal law, in that Petitioner charges:


2. The facts in Paragraph C.

**THIRD SPECIFICATION**

Respondent violated New York Education Law §6530(20) by conducting in the practice of medicine which evidences moral unfitness to practice, in that Petitioner charges:

3. The facts in Paragraphs A and/or B.

DATED: *December 12*, 2003  
Albany, New York

  
PETER D. VAN BUREN  
Deputy Counsel  
Bureau of Professional Medical Conduct