

**These charges are only allegations
which may be contested by the licensee
in an administrative hearing.**

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

IN THE MATTER

OF

DAVID S. ROBINSON, M.D.

STATEMENT

OF

CHARGES

David S. Robinson, M.D., the Respondent, was authorized to practice medicine in New York State on or about April 12, 2016, by the issuance of license number 283890 by the New York State Education Department.

FACTUAL ALLEGATIONS

A. On or about June 3, 2021, the Commonwealth of Massachusetts, Board of Registration in Medicine (hereinafter, "Massachusetts Board"), by a Consent Order (hereinafter, "Massachusetts Order"), indefinitely suspended Respondent's license to practice medicine for practicing medicine while his ability to practice was impaired by alcohol in violation of 243 CMR 1.03(5)(a)(4) and for engaging in conduct that undermined the public confidence in the integrity of the medical profession. The Massachusetts Board action was based upon Respondent being intoxicated on or about November 24, 2018, while working as the on-call psychiatrist for the Carney Hospital Adult Psychiatric Unit. On November 24, 2018, after rounding on patients, Respondent returned home and a nurse later telephoned the Respondent with patient-care questions. Respondent had difficulty answering the questions and slurred his speech. Another physician spoke to Respondent and feared that Respondent had suffered a stroke. The physician contacted the police and requested a wellness check. Police responded to Respondent's residence where his condition was found to be caused by alcohol intoxication. The Massachusetts Board action was also based upon

the Respondent's involvement in a minor motor vehicle collision on March 10, 2019. Respondent was arrested and charged with various vehicular criminal offenses, including operating under the influence of an intoxicating liquor in violation of Mass. Gen. Laws c. 90 §24(1)(a)(1) ("OUI"). The Respondent received a Continuance Without a Finding on the OUI and the other offenses were dismissed..

B. The conduct resulting in the Massachusetts Board disciplinary action against the Respondent would constitute misconduct under the laws of New York State, pursuant to the following sections of New York State law:

1. New York Education Law §6530(7) (Practicing the profession while impaired by alcohol);
2. New York Education Law §6530(8) (Being a habitual abuser of alcohol, or being dependent on or a habitual user of narcotics, barbiturates, amphetamines, hallucinogens, or other drugs having similar effects); and/or
3. New York Education Law §6530(20) (Conduct in the practice of medicine which evidences moral unfitness to practice medicine).

SPECIFICATION OF CHARGES

FIRST SPECIFICATION

HAVING BEEN FOUND GUILTY OF PROFESSIONAL MISCONDUCT

Respondent is charged with committing professional misconduct as defined in N.Y. Educ. Law § 6530(9)(b) by having been found guilty of improper professional practice or professional misconduct by a duly authorized professional disciplinary agency of another state where the conduct upon which the finding was based would, if committed in New

York State, constitute professional misconduct under the laws of New York state as alleged in the facts of the following:

1. The facts in Paragraphs A and B and B1; A and B and B2.; and/or A and B and B3.

SECOND SPECIFICATION

HAVING HAD DISCIPLINARY ACTION TAKEN

Respondent is charged with committing professional misconduct as defined in N.Y. Educ. Law § 6530(9)(d) by having the Respondent's license to practice medicine revoked, suspended or having other disciplinary action taken, or having the Respondent's application for a license refused, revoked or suspended or having voluntarily or otherwise surrendered the Respondent's license after a disciplinary action was instituted by a duly authorized professional disciplinary agency of another state, where the conduct resulting in the revocation, suspension or other disciplinary action involving the license or refusal, revocation or suspension of an application for a license or the surrender of the license would, if committed in New York state, constitute professional misconduct under the laws of New York state as alleged in the facts of the following:

2. The facts in Paragraphs A and B and B1; A and B and B2.; and/or A and B and B3.

DATE: January 19, 2022
Albany, New York



JEFFREY J. CONKLIN
Acting Deputy Counsel
Bureau of Professional Medical Conduct