



Department of Health

KATHY HOCHUL
Governor

HOWARD A. ZUCKER, M.D., J.D.
Commissioner

KRISTIN M. PROUD
Acting Executive Deputy Commissioner

September 22, 2021

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

Mark S. Nash, Esq.
Bureau of Professional Medical Conduct
Corning Tower Building, Room 2412
Empire State Plaza
Albany, New York 12237

Joy Siegrist, MD
[REDACTED]

Joy Siegrist, MD
[REDACTED]

Joy Siegrist, MD
[REDACTED]

RE: In the Matter of Joy Siegrist, MD

Dear Parties:

Enclosed please find the Determination and Order (No. 21-198) of the Hearing Committee in the above referenced matter. This Determination and Order shall be deemed effective upon the 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 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
Office of Professional Medical Conduct
Riverview Center
150 Broadway - Suite 355
Albany, New York 12204

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.

As prescribed by the New York State Public Health Law §230, subdivision 10, paragraph (i), (McKinney Supp. 2015) and §230-c subdivisions 1 through 5, (McKinney Supp. 2015), "the determination of a committee on professional medical conduct may be reviewed by the Administrative Review Board for professional medical conduct." Either the licensee or the Department may seek a review of a committee determination.

Request for review of the Committee's determination by the Administrative Review Board stays penalties other than suspension or revocation until final determination by that Board. Summary orders are not stayed by Administrative Review Board reviews.

All notices of review must be served, by certified mail, upon the Administrative Review Board and the adverse party within fourteen (14) days of service and receipt of the enclosed Determination and Order.

The notice of review served on the Administrative Review Board should be forwarded to:

Jean T. Carney, Administrative Law Judge
New York State Department of Health
Bureau of Adjudication
Riverview Center
150 Broadway – Suite 510
Albany, New York 12204

The parties shall have 30 days from the notice of appeal in which to file their briefs to the Administrative Review Board. Six copies of all papers must also be sent to the attention of Ms. Carney at the above address and one copy to the other party. The stipulated record in this matter shall consist of the official hearing transcript(s) and all documents in evidence.

Parties will be notified by mail of the Administrative Review Board's Determination and Order.

Sincerely,



James F. Horan
Chief Administrative Law Judge
Bureau of Adjudication

JFH: cmg
Enclosure

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

COPY

In the matter of

Joy Siegrist, MD
NYS license # 226225

**Determination
and Order**

BPMC-21-198

A notice of referral proceeding and statement of charges, both dated July 15, 2021, were served on Respondent **Joy Siegrist, MD**. The statement of charges alleged professional misconduct in violation of New York State Education Law 6530(9). (Exhibit 1.) An amended statement of charges dated July 29, 2021 was subsequently served, adding charges of professional misconduct in violation of New York State Education Law 6530(1)&(21). (Exhibit 1A.) A hearing was held at offices of the New York State Department of Health on September 2, 2021, by videoconference.

Pursuant to Public Health Law 230(10)(e), **Gail Homick Herrling**, Chair, **Rose Berkun, MD**, and **Henry T. Spector, MD**, duly designated members of the State Board for Professional Medical Conduct, served as the hearing committee. **John Harris Terepka**, Administrative Law Judge, served as the administrative officer.

The Department of Health (the Petitioner) was represented by **Marc S. Nash, Esq.** **Joy Siegrist, MD** (the Respondent) did not appear, although duly served with notice of the hearing in conformity with the requirements of PHL 230(10)(d). (Exhibits 2, 3.) After consideration of the entire record, the hearing committee issues this determination and order sustaining the charges and revoking the Respondent's license to practice medicine.

JURISDICTION

As is set forth in Public Health Law 230(1)&(7) and Education Law 6530, the legislature created the State Board for Professional Medical Conduct in the Department of Health and authorized it to conduct disciplinary proceedings in matters of professional medical conduct. The Respondent, a physician, has been charged pursuant to PHL 230(10) with six specifications of misconduct under Ed.L 6530(1),(9)(a)(iii)&(d), and (21).

Pursuant to PHL 230(10)(p), a hearing on limited issues, or “direct referral proceeding,” is authorized when a licensee is charged solely with a violation of Ed.L 6530(9). Charges of misconduct under Ed.L 6530(9) are based upon a criminal conviction or an administrative violation, in New York State or another jurisdiction, establishing conduct that would constitute a crime or professional misconduct if committed in New York. The scope of the hearing is limited to whether there is a relevant conviction or administrative determination and if so, to a determination of the nature and severity of the penalty to be imposed. PHL 230(10)(p). Hearing procedures are set forth in Department of Health regulations at 10 NYCRR Part 51.

EVIDENCE

The Petitioner relied on documents presented at the hearing (Exhibits 1, 1A, 2-10.) A transcript of the hearing was made.

FINDINGS OF FACT

1. Respondent Joy Siegrist, MD was authorized to practice medicine in New York State on September 4, 2002 under license number 226225. (Exhibit 4.)
2. On March 8, 2021, effective April 7, 2021, the Medical Board of California revoked the Respondent’s medical license based upon the Respondent having a mental illness affecting her ability to practice medicine; her conviction in August 2020 of a felony and two

misdeemeanors related to driving incident in October 2019; and unprofessional conduct. (Exhibit 5.)

3. On August 31, 2020, in the Circuit Court, City of Chesapeake, State of Virginia, the Respondent was convicted of two felony counts of “disregarding signal by law-enforcement officer to stop; eluding police,” in violation of Virginia Code 46.2-817(b). On April 9, 2021, the Respondent was given a suspended sentence of four years incarceration, assessed fines and costs, and her driver’s license was suspended. (Exhibit 6.)

4. On February 8, 2021, in the First Judicial Circuit for Okaloosa County, Florida, the Respondent was convicted of misdemeanor driving under the influence in violation of Florida Statute 316.193(1) and other charges. The Respondent was sentenced to probation, urinalysis testing, 50 hours of community service, driver’s license suspension, and costs. Respondent was also convicted of misdemeanor obtaining food or lodging with intent to defraud in violation of Florida Statute 509.151, ordered to make restitution and assessed costs. (Exhibits 7, 8.)

5. On March 10, 2020, the Respondent filed an application with the New York State Education Department for renewal of her New York medical license. In this application, the Respondent answered “no” to the question “Since your last registration application, are criminal charges pending against you in any court?” On February 4, 2020, the Respondent had been indicted for two felony counts in Virginia. (Exhibits 9, 10.)

HEARING COMMITTEE DETERMINATION

Specifications 2, 3 and 4: The hearing committee agreed that, as alleged in the statement of charges, the crimes of which the Respondent was convicted in Virginia and Florida would, if committed in New York, have constituted crimes under NY Penal Law

165.15(2) (theft of services); 270.25 (unlawful feeing a police officer in a motor vehicle); and NY Vehicle & Traffic Law 1192(3) (operating a motor vehicle while under the influence of alcohol or drugs). The hearing committee unanimously determined (3-0) that, as alleged in the statement of charges, the Respondent violated Ed.L 6530(9)(a)(iii) which defines professional misconduct as:

9. (a) Being convicted of committing an act constituting a crime under... (iii) the law of another jurisdiction and which, if committed within this state, would have constituted a crime under New York State Law.

Specification 1: The California Medical Board, after a hearing, revoked the Respondent's medical license based on her mental illness and her conviction of crimes. The hearing committee unanimously agreed that the California license revocation was based upon conduct that, if committed in New York, would constitute misconduct pursuant to Ed.L 6530(8) (having a psychiatric condition which impairs the licensee's ability to practice) and 6530(9)(a)(iii). The hearing committee accordingly agreed that the California Board's action established that the Respondent violated Ed.L 6530(9)(d) which defines professional misconduct as:

9. (d) Having his or her license to practice medicine revoked... by a duly authorized professional disciplinary agency of another state, where the conduct resulting in the revocation... would, if committed in New York state, constitute professional misconduct under the laws of New York state.

Specifications 5 and 6: The hearing committee unanimously agreed that the Respondent's false statement on her New York license renewal application constituted professional misconduct under Ed.L 6530(1) (obtaining a license fraudulently) and Ed.L 6530(1) (willfully filing a false report).

Penalty: The Petitioner recommended revocation of the Respondent's New York medical license based upon her repeated conviction of crimes, false statements to New York

licensing authorities, and the evidence of serious untreated mental illness. Although duly served with notice of the hearing in conformity with PHL 230(10)(d), the Respondent failed to appear and failed to offer any evidence or argument to persuade the committee to a different conclusion. The hearing committee unanimously (3-0) determined that revocation of the Respondent's license pursuant to PHL 230-a(4) is an appropriate penalty.

ORDER

IT IS HEREBY ORDERED THAT:

1. The Respondent's license to practice medicine in New York State is **REVOKED**.

This order shall be effective upon service on the Respondent by personal service or by registered or certified mail as required under PHL 230(10)(h).

Dated: Albany, New York

9.21.2021

By:

Gail Homick Herrling, Chair

Rose Berkun, MD
Henry T. Spector, MD,

To: Mark S. Nash, Esq.
Bureau of Professional Medical Conduct
Corning Tower, Empire State Plaza
Albany, New York 12237-0032

Joy Siegrist, MD

Joy Siegrist, MD

Joy Siegrist, MD

APPENDIX I

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

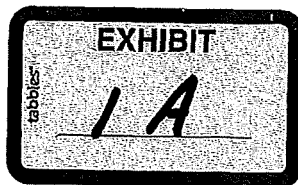
IN THE MATTER
OF
JOY SIEGRIST, M.D.

AMENDED
STATEMENT
OF
CHARGES

JOY SIEGRIST, the Respondent, was authorized to practice medicine in New York State on or about September 4, 2002, by the issuance of license number 226225 by the New York State Education Department.

FACTUAL ALLEGATIONS

A. On or about March 8, 2021, the Medical Board of California (hereinafter, "California Board") issued a Default Decision and Disciplinary Order which revoked Respondent's medical license. In ordering this discipline, the California Board found Respondent's ability to practice medicine safely is impaired as she has a mental illness. Secondly, the California Board found Respondent, on or about August 31, 2020, was convicted of crimes in Virginia which substantially relate to her qualifications, functions, or duties of a physician and surgeon, specifically, a felony of eluding on October 7, 2019, a felony of eluding on October 9, 2019, and two counts of reckless driving.



B. The conduct resulting in the California Board's disciplinary action against 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(8) (having a psychiatric condition which impairs the licensee's ability to practice); and
2. New York Education Law § 6530(9)(a)(iii) (being convicted of an act constituting a crime under the law of another jurisdiction and which, if committed within this state, would have constituted a crime under New York state law).

C. On or about August 31, 2020, in the Circuit Court of the City of Chesapeake, State of Virginia, Respondent was convicted of two felony counts of "Disregarding signal by law-enforcement officer to stop; eluding police" (Virginia Code § 46.2-817(B)). On April 9, 2021, Respondent was sentenced to a total of four years' incarceration, time served, two years' supervised probation, fines and costs, and suspension of driver's license for two years, during which time Respondent could get a restricted license when eligible and upon request.

D. On or about February 8, 2021, in the Circuit/County Court in the First Judicial Circuit in and for Okaloosa County, Florida, Respondent was convicted of a misdemeanor, "Driving under the influence" (Florida Statute § 316.193(1)).

Respondent, who was convicted of multiple crimes, was sentenced to probation for 11 months and 29 days during which time Respondent is subject to random urinalysis or

tests, 50 hours community service, a six-month driver's license suspension, and assessed costs.

E. On or about February 8, 2021, in the Circuit/County Court in the First Judicial Circuit in and for Okaloosa County, Florida, in a second case, Respondent was convicted of a misdemeanor, "Obtaining food or lodging with intent to defraud" (Florida Statute § 509.151). Respondent was ordered to make restitution and assessed costs.

F. On or about March 10, 2020, Respondent filed a License Renewal with the New York State Education Department for her New York medical license for the period of April 1, 2020 through March 31, 2022. In this renewal application, Respondent answered "no" to the question, "Since your last registration application, are criminal charges pending against you in any court?" On or about February 4, 2020, Respondent was indicted for two felony counts by a Grand Jury of the Commonwealth of Virginia and the City of Chesapeake. Respondent answered "no" knowing, or having reason to know, and with intent to mislead, that her answer of "no" was false.

SPECIFICATION OF CHARGES

FIRST 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 his or her license to practice as a physician assistant

revoked, suspended or having other disciplinary action taken; or having his or her application for a license refused, revoked or suspended or having voluntarily or otherwise surrendered his or her 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 (namely N.Y. Educ. Law §§ 6530(8) and (9)(a)(iii)) as alleged in the facts of the following:

1. The facts in Paragraphs A, B, B.1 and B.2.

SECOND SPECIFICATION

CRIMINAL CONVICTION (Other Jurisdiction)

Respondent is charged with committing professional misconduct as defined in N.Y. Educ. Law § 6530(9)(a)(iii) by having been convicted of committing an act constituting a crime under the law of another jurisdiction and which, if committed within this state, would have constituted a crime under New York state law (namely N.Y. Penal Law § 270.25) as alleged in the facts of the following:

2. The facts in Paragraph C.

THIRD SPECIFICATION

CRIMINAL CONVICTION (Other Jurisdiction)

Respondent is charged with committing professional misconduct as defined in N.Y. Educ. Law § 6530(9)(a)(iii) by having been convicted of committing an act constituting a crime under the law of another jurisdiction and which, if committed within this state, would have constituted a crime under New York state law (namely N.Y. Vehicle and Traffic Law § 1192(3)) as alleged in the facts of the following:

3. The facts in Paragraph D.

FOURTH SPECIFICATION

CRIMINAL CONVICTION (Other Jurisdiction)

Respondent is charged with committing professional misconduct as defined in N.Y. Educ. Law § 6530(9)(a)(iii) by having been convicted of committing an act constituting a crime under the law of another jurisdiction and which, if committed within this state, would have constituted a crime under New York state law (namely N.Y. Penal Law § 165.15(2)) as alleged in the facts of the following:

4. The facts in Paragraph E.

FIFTH SPECIFICATION

FRAUDULENT OBTAINMENT

Respondent is charged with committing professional misconduct as defined by N.Y. Educ. Law § 6530(1) by obtaining the license fraudulently as alleged in the facts of the following:

5. The facts in Paragraph F.


SIXTH SPECIFICATION

FALSE REPORT

Respondent is charged with committing professional misconduct as defined in N.Y. Educ. Law § 6530(21) by willfully making or filing a false report, or failing to file a report required by law or by the department of health or the education department, as alleged in the facts of:

6. The facts in Paragraph F.

DATE: July 29, 2021
Albany, New York


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