

COPY

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF STATE
BEFORE THE STATE BOARD OF MEDICINE

Commonwealth of Pennsylvania
Bureau of Professional and
Occupational Affairs

vs.

Bruce Alexander Lief, M.D.,
Respondent

Case No.:

18-49-003742

2018 SEP -6 AM 7:37

DEPT. OF STATE

NOTICE AND ORDER OF AUTOMATIC SUSPENSION

WHEREAS, the records of the State Board of Medicine ("Board") reflect that **BRUCE ALEXANDER LIEF, M.D.** ("Respondent") is the holder of a license to practice as a medical physician and surgeon in the Commonwealth of Pennsylvania, license number **MD013324E**, that the Board issued on June 2, 1972; and

WHEREAS, the prosecuting attorney for the Commonwealth has filed a *Petition for Automatic Suspension* (attached hereto as **Attachment A**), including, certified copies of the *Information*, *Guilty Plea Colloquy*, *Addendum to Guilty Plea Colloquy*, and *Sentencing Sheet* in the matter of Commonwealth of Pennsylvania v. Bruce Lief, filed in the Court of Common Plea for Chester County at Docket No. CP-15-CR-0001714-2018; and

WHEREAS, the *Information* specifies, among other things, that Respondent, being a practitioner, administered, dispensed, delivered, gave, or prescribed a controlled substance to individuals identified as A.S.1, A.S.2., J.M. and M.M., not in good faith in the course of his professional practice, not within the scope of the patient relationship, or not in accordance with treatment principles accepted by a responsible segment of the medical profession in violation of

section 13(a)(14) of the Controlled Substance, Drug, Device, and Cosmetic Act¹ (the “Drug Act”),
35 Pa. C.S. §§ 780-113(a)(14); and

WHEREAS, on or about June 5, 2018, the Respondent pleaded guilty to, *inter alia*, counts one (1) through four (4) of the *Information* alleging that Respondent acted in violation of section 13(a)(14) of the Drug Act, 35 Pa. C.S. §§ 780-113(a)(14); and

WHEREAS, counts one (1) through four (4) of the *Information* are graded as felonies; and

WHEREAS, section 40(b) of the Medical Practice Act of 1985² (“MPA”), provides in part:

(b) Automatic suspensions. - A license or certificate issued under this act shall automatically be suspended upon the ... conviction of a felony under the act of April 14, 1972 (P.L. 233, No. 64), known as The Controlled Substance, Drug, Device and Cosmetic Act, ... As used in this section the term "conviction" shall include a judgment, an admission of guilt or a plea of nolo contendere.

63 P.S. § 422.40(b); and

WHEREAS, section 43 of the MPA, 63 P.S. § 422.43, provides, in pertinent part, that:

* * *

(b) REINSTATEMENT AFTER FELONY CONVICTION.-- Any person whose license, certificate or registration has been suspended or revoked because of a felony conviction under the act of April 14, 1972 (P.L. 233, No. 64), known as The Controlled Substance, Drug, Device and Cosmetic Act, or similar law of another jurisdiction, may apply for reinstatement after a period of at least ten years has elapsed from the date of conviction....

NOW THEREFORE, upon consideration of the allegations set forth in the *Petition*, Respondent’s license number MD013324E, along with any other licenses, registrations, certificates, approvals, authorizations, or permits (collectively, “authorization to practice the profession”) issued by the Board to Respondent shall be **AUTOMATICALLY SUSPENDED**

¹ The act of April 14, 1972 (P.L. 233, No. 64), as amended, 35 P.S. §§ 780-101 – 780-144

² Act of December 20, 1985, P.L. 457, as amended, 63 P.S. §§ 422.1-422.53

for at least 10 years from the date of conviction under authority of sections 40(b) and 43(b) of the MPA, 63 P.S. §§ 422.40(b) and 422.43(b), effective immediately. Respondent shall **CEASE AND DESIST** from engaging in any activity requiring an authorization to practice the profession. Respondent shall immediately **CEASE AND DESIST** from engaging in any activity requiring an authorization from the Board to practice the profession and shall surrender his licensure documentation to the Board within ten (10) days by delivering or mailing them to:

Peter D. Kovach, Board Counsel
State Board of Medicine
Department of State
2601 North Third Street
P.O. Box 69523
Harrisburg, PA 17106-9523

Should Respondent desire to file a response to the Petition and request a hearing, Respondent must file a written response and/or request such that it is received by the Prothonotary for the Department of State by September 24, 2018, twenty (20) days from the date of this Order. If Respondent files a written answer and request for a hearing, the suspension of Respondent's authorizations to practice the profession shall remain in effect until a final order is issued addressing the issues raised in the answer. Responses to the Petition and any hearing held in connection with the responses shall be limited to the issue of whether Respondent was convicted of the offenses as alleged in the Petition.

Responses to the petition and any request for hearing shall be filed with the Prothonotary for the Department of State at the following address:

Prothonotary
Department of State
2601 North Third Street
P.O. Box 2649
Harrisburg, PA 17105-2649

A copy of the response and request for hearing shall also be served on the prosecuting attorney identified in the petition at the address set forth below.

Hearings shall be scheduled within 30 days of receipt of the request for a hearing.
Continuances will only be granted for good cause shown.

This Order shall take effect immediately.

**BUREAU OF PROFESSIONAL AND
OCCUPATIONAL AFFAIRS**



**IAN J. HARLOW
COMMISSIONER**

Respondent:


For the Commonwealth:

Board Legal Counsel:

Date of Mailing:

BY ORDER:

STATE BOARD OF MEDICINE



**KEITH E. LOISELLE
CHAIR**

Bruce Alexander Lief, M.D.
2701 Holme Ave
Philadelphia, PA 19152

Tara J. Smith, Esq.
Prosecuting Attorney
Department of State
P.O. Box 69521
Harrisburg, PA 17106-9521

Peter D. Kovach, Esq.

SEPTEMBER 6, 2018

ATTACHMENT A

COPY

IN THE COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF STATE
BEFORE THE STATE BOARD OF MEDICINE

In the Matter of the License
To Practice Medicine of

Bruce A Lief, MD,
License No. MD013324E

:
:
:
:
:
:

File No. 18-49-003742

Division of State

2018 SEP -6 AM 7:37

PHILADELPHIA

PETITION FOR AUTOMATIC SUSPENSION

AND NOW comes the Commonwealth of Pennsylvania, by and through its Prosecuting Attorney, Tara J. Smith, and files this Petition for Automatic Suspension and in support thereof avers the following:

1. **Bruce A Lief, MD** (Respondent), is the holder of License No. MD013324E, issued by the State Board of Medicine (Board), authorizing Respondent to practice medicine and surgery without restriction in the Commonwealth of Pennsylvania.
2. Respondent's license was originally issued on June 2, 1972 and expires on December 31, 2018, however, Respondent's license is currently subject to suspension pursuant to a Petition for Immediate Temporary Suspension and on Order of the Probable Cause Screening Committee effective April 24, 2018.¹
3. Respondent retains a property interest in his license until and unless it is revoked by the Board.
4. Respondent's last known address on file with the Board is 2701 Holme Avenue, Philadelphia, PA 19152. However, based on information obtained from the criminal documents, Respondent maintains an address of 1020 Armstrong Court, Wayne, PA 19087.

¹ The Probable Cause Screening Committee consisted of Charles A. Castle, M.D. and John M. Mitchell, L.P., C.C.P.

5. At all times pertinent to the allegations in this Petition, Respondent was licensed to practice medicine and surgery in the Commonwealth of Pennsylvania.

6. On or about June 5, 2018, an Information was filed in the Court of Common Pleas of Chester County, Pennsylvania, at Docket No. CP-15-CR-0001714-2018, charging Respondent with 4 counts of Illegal Prescription of a Controlled Substance, a felony violation of the Controlled Substance, Drug, Device and Cosmetic Act at 35 P.S. §780-113(a)(14); and 1 count of Dealing in Proceeds of Unlawful Activity, a felony violation at 18 P.S. §5111(a)(1).

7. A true and correct copy of the Information is attached and incorporated as **Exhibit 1**.

8. On or about June 5, 2018, Respondent entered pleas of guilty to 4 counts of Illegal Prescription of a Controlled Substance, a felony violation of the Controlled Substance, Drug, Device and Cosmetic Act at 35 P.S. §780-113(a)(14) and 1 count of Dealing in Proceeds of Unlawful Activity, a felony violation at 18 P.S. §5111(a)(1).

9. On or about June 5, 2018, Respondent was sentenced as to Count 1, to a period of 5 years probation, to pay the costs of prosecution, and to refrain from applying to reinstate his DEA license.

10. On or about June 5, 2018, Respondent was sentenced as to Count 2, to a period of 5 years probation to be served concurrent to Count 1, to pay the costs of prosecution, and to refrain from applying to reinstate his DEA license.

11. On or about June 5, 2018, Respondent was sentenced as to Count 3, to a period of 5 years probation to be served concurrent to Count 2, to pay the costs of prosecution, and to refrain from applying to reinstate his DEA license.

12. On or about June 5, 2018, Respondent was sentenced as to Count 4, to a period of 5 years probation to be served concurrent to Count 3, to pay the costs of prosecution, and to refrain from applying to reinstate his DEA license.

13. On or about June 5, 2018, Respondent was sentenced as to Count 5, to a period of 5 years probation to be served concurrent to Count 1-4, to pay the costs of prosecution, and to refrain from applying to reinstate his DEA license.

14. A true and correct copy of the Guilty Plea Colloquy and Sentencing Sheets for Counts 1-5 are attached and incorporated as **Exhibit 2**.

15. Section 40(b) of the Medical Practice Act of 1985 (Act), Act of December 20, 1985, P.L. 457, as amended, 63 P.S. §422.40(b), provides in part:

“A license... issued under this act shall automatically be suspended upon the conviction of a felony under the act of April 14, 1972(P.L. 233, No. 64), known as The Controlled Substance, Drug, Device and Cosmetic Act or conviction of an offense under the laws of another jurisdiction, which, if committed in this Commonwealth, would be a felony under The Controlled Substance, Drug, Device and Cosmetic Act. As used in this section, the term “conviction” shall include a judgment, an admission of guilt or a plea of nolo contendere...”

WHEREFORE, based upon the Respondent’s felony drug convictions under the Controlled Substance, Drug, Device and Cosmetic Act, the Commonwealth petitions the Board to notify Respondent that, pursuant to Section 40(b) of the Medical Practice Act, the Act of December 20, 1985, P.L. 457, as amended, 63 P.S. §422.40(b), his license to practice medicine and surgery without restriction in the Commonwealth of Pennsylvania has been **AUTOMATICALLY SUSPENDED**, and that it order Respondent to **CEASE AND DESIST** from the practice of medicine and surgery in the Commonwealth of Pennsylvania.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Tara J. Smith", written over a horizontal line.

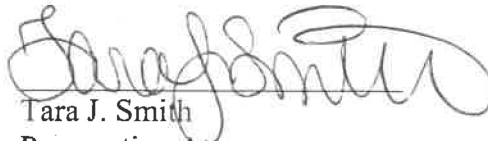
Tara J. Smith
Prosecuting Attorney
Commonwealth of Pennsylvania
Bureau of Professional and Occupational Affairs
2601 North Third Street
P.O. Box 69521
Harrisburg, PA 17106-9521

Dated: _____

8/28/10

VERIFICATION

I, Tara J. Smith, do verify that the facts set forth in the foregoing Petition for Automatic Suspension are true and correct to the best of my knowledge, information and belief. I understand that false statements herein are made subject to the penalties of 18 Pa. C.S.A. §4904 relating to unsworn falsification to authorities.


Tara J. Smith
Prosecuting Attorney

Dated: 8/20/18



INFORMATION

Commonwealth of Pennsylvania

v.

Bruce Lief

Docket No: CP-15-CR-00017-14-2018

The Attorney General for the Commonwealth of Pennsylvania by this information charges that in the County of Chester, Pennsylvania, Lief, Bruce:

COUNT 1: Admin Etc Of Cont Subst By Pract - (F)

On or about: 09/08/2017 35 § 780-113 §§ A14

Drug Type: Schedule II

Between January 1, 2017 and August 17, 2017 in or around Philadelphia County, the defendant being a practitioner, administered, dispensed, delivered, gave, or prescribed a controlled substance not in good faith in the course of his professional practice, not within the scope of the patient relationship, or not in accordance with treatment principles accepted by a responsible segment of the medical profession; to wit: the defendant prescribed controlled substances to A.S.1 in violation of this statute;

COUNT 2: Admin Etc Of Cont Subst By Pract - (F)

On or about: 09/08/2017 35 § 780-113 §§ A14

Drug Type: Schedule II

Between January 1, 2017 and September 10, 2017 in or around Philadelphia County, the defendant being a practitioner, administered, dispensed, delivered, gave, or prescribed a controlled substance not in good faith in the course of his professional practice, not within the scope of the patient relationship, or not in accordance with treatment principles accepted by a responsible segment of the medical profession; to wit: the defendant prescribed controlled substances to A.S.2 in violation of this statute;

COUNT 3: Admin Etc Of Cont Subst By Pract - (F)

On or about: 09/08/2017 35 § 780-113 §§ A14

Drug Type: Schedule II

Between January 1, 2017 and September 12, 2017 in or around Philadelphia County, the defendant being a practitioner, administered, dispensed, delivered, gave, or prescribed a controlled substance not in good faith in the course of his professional practice, not within the scope of the patient relationship, or not in accordance with treatment principles accepted by a responsible segment of the medical profession; to wit: the defendant prescribed controlled substances to J.M. in violation of this statute;

COUNT 4: Admin Etc Of Cont Subst By Pract - (F)

On or about: 09/08/2017 35 § 780-113 §§ A14

Drug Type: Schedule II

Between December 1, 2016 and October 15, 2017 in or around Philadelphia County, the defendant being a practitioner, administered, dispensed, delivered, gave, or prescribed a controlled substance not in good faith in the course of his professional practice, not within the scope of the patient relationship, or not in accordance with treatment principles accepted by a responsible segment of the medical profession; to wit: the defendant prescribed controlled substances to M.M. in violation of this statute;

COUNT 5: Deal In Proc Unl Act/Intent To Promote - (F1)

On or about: 09/08/2017 18 § 5111 §§ A1

Between December 1, 2016 through October 15, 2017 in or around the counties of Chester and Philadelphia, the defendant, with the intent to promote the carrying on of unlawful activity conducted financial transactions with knowledge that the property involved represented the proceeds of the unlawful activity;

EXHIBIT
1

Commonwealth of Pennsylvania
Court of Common Pleas
County of Chester
15th Judicial District



INFORMATION

Commonwealth of Pennsylvania

v.
Bruce Lief

Docket No: CP-15-CR-0001714-2018

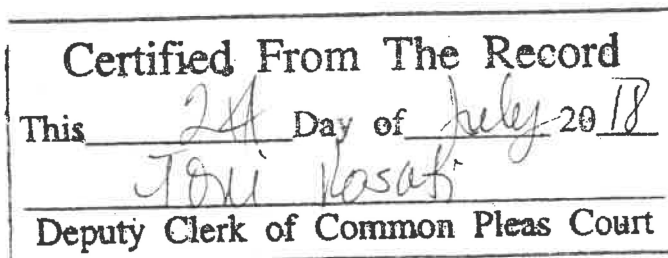
The Attorney General for the Commonwealth of Pennsylvania by this information charges that in the County of Chester, Pennsylvania, Lief, Bruce:

Citation of Statute
and Section:

- 1 35 § 780-113 §§ A14 (F)
- 2 35 § 780-113 §§ A14 (F)
- 3 35 § 780-113 §§ A14 (F)
- 4 35 § 780-113 §§ A14 (F)
- 5 18 § 5111 §§ A1 (F1)

All of which is against the Act of Assembly and the peace and dignity of the Commonwealth.

Executive Deputy Attorney General



Jennifer
Selber
Bennett

COMMONWEALTH OF PENNSYLVANIA : IN THE COURT OF COMMON PLEAS

: CHESTER COUNTY, PENNSYLVANIA

vs.

: CRIMINAL ACTION

BRUCE LIEF

: NO. CP-15-CR-00001714-2018

GUILTY PLEA COLLOQUY

The defendant agrees to enter a plea of guilty to the following crimes:

CRIME: Administration of Controlled Substance

Info.# _____ Count# 1 Statute: 35§780-113(a)(14)

Maximum Sentence: 15 years Grading: F Maximum Fine: \$250,000

Elements: (1) Prescription (2) of a controlled substance (3) by a practitioner (4) outside the treatment principles of a responsible segment of the medical profession

Definition of Terms: _____

CRIME: Administration of Controlled Substance

Info.# _____ Count# 2 Statute: 35 §780-113(a)(14)

Maximum Sentence: 15 years Grading: F Maximum Fine: \$250,000

Elements: (1) Prescription (2) of a controlled substance (3) by a practitioner (4) outside the treatment principles of a responsible segment of the medical profession

Definition of Terms: _____



Defendant

EXHIBIT
2

ADDITIONAL CRIMES TO WHICH DEFENDANT AGREES TO PLEAD GUILTY:

CRIME: Administration of Controlled Substance

Info.# _____ Count# 3 Statute: 35 §780-113(a)(14)
Maximum Sentence: 15 years Grading: F Maximum Fine: \$250,000
Elements: (1) Prescription (2) of a controlled substance (3) by a
practitioner (4) outside the treatment principles of a responsible
segment of the medical profession

Definition of Terms: _____

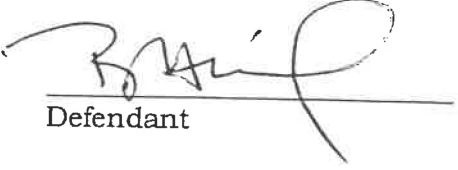
CRIME: Administration of Controlled Substance

Info.# _____ Count# 4 Statute: 35 §780-113(a)(14)
Maximum Sentence: 15 years Grading: F Maximum Fine: \$250,000
Elements: (1) Prescription (2) of a controlled substance (3) by a
practitioner (4) outside the treatment principles of a responsible
segment of the medical profession

Definition of Terms: _____

In support of his plea, the defendant admits that the following facts did occur:

ALL COUNTS NOT DISPOSED OF ABOVE (NOR DISPOSED OF PURSUANT TO PLEA BARGAIN, IF ANY, ATTACHED HERETO), INCLUDING SUMMARY OFFENSES AT THE ABOVE INFORMATION NUMBER(S), ARE WITHDRAWN; AND ANY OUTSTANDING BENCH WARRANTS ARE QUASHED.


Defendant

money laundering

ADDITIONAL CRIMES TO WHICH DEFENDANT AGREES TO PLEAD GUILTY:
CRIME: ~~Administration of Controlled Substance~~ Dealing in Proceeds of Unlawful Activity ✓

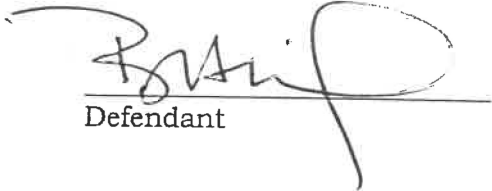
Info.# _____ Count# 5 Statute: 18 §5111(a)
Maximum Sentence: 20 years Grading: F1 Maximum Fine: \$100,000
~~Elements:~~ or twice the amount of the property involved, whichever is greater
Elements: (1) Taking and using (2) the proceeds from the patient visits where Schedule II controlled substances were improperly issued
Definition of Terms: _____

CRIME: _____
Info.# _____ Count# _____ Statute: _____
Maximum Sentence: _____ Grading: _____ Maximum Fine: _____
Elements: _____

Definition of Terms: _____

In support of his plea, the defendant admits that the following facts did occur:

ALL COUNTS NOT DISPOSED OF ABOVE (NOR DISPOSED OF PURSUANT TO PLEA BARGAIN, IF ANY, ATTACHED HERETO), INCLUDING SUMMARY OFFENSES AT THE ABOVE INFORMATION NUMBER(S), ARE WITHDRAWN; AND ANY OUTSTANDING BENCH WARRANTS ARE QUASHED.


Defendant

In support of his plea, Dr. Lief admits that the following facts did occur:

During the period of time covered by the Criminal Information, Dr. Lief was licensed to practice medicine in Pennsylvania.

As part of Dr. Lief's psychiatric practice, Dr. Lief had some pain management patients. .

Dr. Lief received his pain management patients by referral from other physicians. Dr. Lief did not treat the patient for the cause of the pain. Dr. Lief prescribed medications for pain relief.

During the period of time covered by the Criminal Information, Dr. Lief was no longer accepting new pain management patients, but continued to treat existing pain management patients.

During the period of time covered by the Criminal Information, Dr. Lief prescribed Schedule II controlled substances to pain management patients knowing that the patient was opioid dependent at the time.

During the period of time covered by the Criminal Information, Dr. Lief was slowly reducing the amounts of opioids being prescribed to the opioid dependent patients.

According to an expert in pain management engaged by the Commonwealth, Dr. Lief prescribed Schedule II controlled substances in amounts that exceeded the treatment principles accepted by a responsible segment of the medical profession.

Dr. Lief charged the patients identified in the Criminal Information \$240 for each visit.

CHECK ONE:

_____ This is an OPEN PLEA OF GUILTY to the crime(s) set forth on the previous page(s). There is no plea bargain or other agreement relating to the plea to those crimes except as stated below.

X This plea is part of a PLEA AGREEMENT. If the Court accepts this PLEA AGREEMENT, the defendant understands that his sentence(s) will be set forth below. If the Court does not accept this bargain, then the plea of guilty will be deemed withdrawn.

Unless specifically ordered by the Court otherwise, where the maximum sentence imposed pursuant to this plea on any one charge or added consecutive sentences equals 24 or more months then the defendant is sentenced to a state sentence at a state correctional institution [SCI].

SENTENCE:

Information No.: _____ Count No.: 1 - 5 Charge: _____

Imprisonment: None Probation: To be determined by the Court

_____ Check here if this is a mandatory minimum sentence.

Costs, plus \$ TBD fine; \$ TBD to the use of Chester County.

Concurrent with/consecutive to: _____

Other Conditions: Cannot apply to reinstate DEA license to prescribe controlled substances while on probation.

Restitution: \$ N/A, payable to _____

Donald B. Sweeney
Assistant District Attorney Deputy Atty. Gen.

Date: 7/23/18

Bruce A. King
Defendant
Lawrence H. King
Attorney for Defendant

[SIGN ON PAGE 4 IF THERE ARE ADDITIONAL DISPOSITIONS]

ADDITIONAL DISPOSITIONS:

SENTENCE:

Information No.: _____ Count No.: _____ Charge: _____

Imprisonment: _____ Probation: _____

_____ Check here if this is a mandatory minimum sentence.

Costs, plus \$ _____ fine; \$ _____ to the use of Chester County.

Concurrent with/consecutive to: _____

Other Conditions: _____

Restitution: \$ _____, payable to _____

Information No.: _____ Count No.: _____ Charge: _____

Imprisonment: _____ Probation: _____

_____ Check here if this is a mandatory minimum sentence.

Costs, plus \$ _____ fine; \$ _____ to the use of Chester County.

Concurrent with/consecutive to: _____

Other Conditions: _____

Restitution: \$ _____, payable to _____

Information No.: _____ Count No.: _____ Charge: _____

Imprisonment: _____ Probation: _____

_____ Check here if this is a mandatory minimum sentence.

Costs, plus \$ _____ fine; \$ _____ to the use of Chester County.

Concurrent with/consecutive to: _____

Other Conditions: _____

Restitution: \$ _____, payable to _____

Assistant District Attorney

Defendant

Date: _____

Attorney for Defendant

COMPLETE ALL ITEMS

PUT YOUR INITIALS AFTER EACH ITEM YOU UNDERSTAND AND AGREE TO:

THE CHARGES:

1. I hereby enter a plea of guilty to the charges set forth on the cover pages. BAL
2. I have read and understand the cover pages. BAL
3. My lawyer has explained to me the elements of the offenses to which I am pleading guilty. BAL
4. I admit committing the crimes to which I am pleading guilty. BAL
5. I acknowledge that the facts occurred as set forth on page 2 of this form. BAL
6. My full name is: Bruce Alexander Lief
7. I am known by the following other names: Sandy
8. I am 77 years of age today.
9. I went as far as medial grade in school.
10. I can read, write and understand the English language. BAL

MENTAL HISTORY:

11. Have you ever been a patient in a mental institution or have you ever been treated for a mental illness?

NO
(Yes or No)

BAL
(Initials)

12. If the answer to the previous question is "Yes", please explain the details: _____

(Initials)

BAL
Defendant

13. Are you now being treated for a mental illness?

No
(Yes or No)

BW
(Initials)

14. If the answer to the previous question is "Yes", please explain the details:

(Initials)

15. Do you understand the charges against you?

Yes
(Yes or No)

BW
(Initials)

16. Are you able to work with your lawyer in responding to those charges?

Yes
(Yes or No)

BW
(Initials)

VOLUNTARINESS OF PLEA:

I agree that:

17. No one has used any force or threats against me in order to get me to enter this plea of guilty.

18. No promises have been made to me in order to get me to enter this plea other than what is set forth in the plea bargain agreement, if any, on page 3 and 4 of this guilty plea form.

TRIAL RIGHTS:

I understand that:

19. I need not enter a plea of guilty, but may plead not guilty and go to trial.

20. If I went to trial, I would have the right to file motions asking the Court for many different kinds of relief. Some of these would be motions to quash or dismiss the charges against me for lack of evidence or for procedural defects; to suppress the use of evidence against me because it was obtained unconstitutionally, as for instance by improper questioning or an illegal search and seizure; and to ask that evidence be suppressed because it was improperly obtained, such as identification testimony. There could be other motions, also. If I file such pre-trial applications, a Judge will have to rule on them before the case could go to trial. I am willing to give up these rights.

BW
Defendant

21. I have the right to be tried in front of a jury of ordinary citizens, consisting of 12 people selected randomly from the voter registration list of Chester County.

22. I may apply for a trial by a Judge without a jury, and that if a Judge approves that request, he would sit as the fact finder in place of a jury and decide whether or not I am guilty.

23. If I had a trial by jury, I would be allowed to participate, along with my attorney, in rejecting some of the people who were called to sit as jurors; I could challenge an unlimited number of jurors for cause if I could show that in some manner they had formed fixed opinions concerning my guilt or innocence; and I also would have a certain number of "peremptory challenges", by means of which I could reject jurors without having to give a reason.

24. The 12 jurors remaining would then have to agree unanimously on my guilt before I could be convicted.

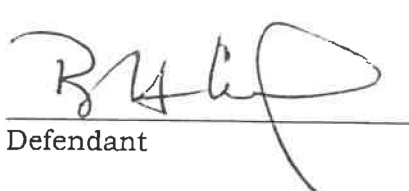
25. In order to be convicted, I would have to be proven guilty beyond a "reasonable doubt". A reasonable doubt is a doubt which would cause a person of reasonable prudence to hesitate before acting in a matter of importance to him or herself. I am presumed innocent, and if the Commonwealth cannot prove me guilty beyond a reasonable doubt, I must be set free on these charges.

26. During the trial, my lawyer and I would have the right to confront and cross-examine the witnesses against me, and to object to the evidence presented. I have the right to call witnesses on my own behalf and to testify, if I wish. If I choose not to testify or call witnesses, the jury would be instructed that they could not draw any conclusions from the fact that I did not testify. Also, either I or my attorney have the right to make a closing statement on my behalf to the jury.

27. If I choose to represent myself at trial, I would be allowed to do all of the things that a lawyer would otherwise do for me.

28. If I enter a plea in this matter, I give up my right to appeal to the Superior Court on the basis of any trial errors. My rights to appeal after a guilty plea are limited to 4 grounds only:

- a. that this Court did not have jurisdiction, as for instance, where the offense occurred in another county;
- b. that the sentence imposed was illegal;
- c. that I entered my plea either involuntarily or unknowingly; or
- d. that my attorney was not competent in the matter in which he represented me.


Defendant

SENTENCING RIGHTS:

I am aware:

29. Of the maximum sentences and fines that can be imposed for the offense with which I am charged; they are set forth on the cover pages of this form. BUT

30. In pronouncing sentence, the Court must consider, BUT IS NOT BOUND BY, the guidelines issued by the Pennsylvania Commission on Sentencing. I have seen the sentencing guidelines forms submitted by the Commonwealth, and understand what the guidelines call for in my case. ISNA

31. [FOR PLEA BARGAINS ONLY] The Court is not bound by the terms of the plea agreement that I have entered into with the Commonwealth on pages 3 and 4 of this form, but if the Court rejects it, I may withdraw my plea of guilty and enter a plea of not guilty. BUT

32. [MANDATORY SENTENCES ONLY] The crime of _____, to which I am entering a plea, carries with it a mandatory minimum sentence of _____, and a mandatory fine of \$ _____. _____

33. CHOOSE ONE:

- a. I am not presently on probation or parole. BUT
- b. I am presently on probation or parole, and I understand that this guilty plea will result in a violation of that probation or parole, and that I may be separately sentenced for that violation of probation or parole. _____

POST SENTENCE RIGHTS:

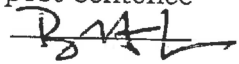
I understand that:

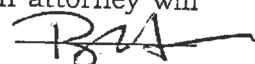
34. I have ten (10) days from the date I am sentenced within which to file optional motions with this Court for post-sentence relief, such as a motion to withdraw my guilty plea or a motion to modify sentence. I understand that these motions must be in writing, and specify the reasons why relief is requested. I also understand that failure to file these optional motions shall not be a waiver of any rights or issues I could raise on appeal. BUT

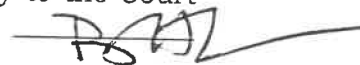
35. If I need to be represented by a lawyer in filing such motions, and cannot afford a lawyer of my own, I may apply to the Court and the Court will appoint one to represent me free of charge. BUT

BUT King
Defendant

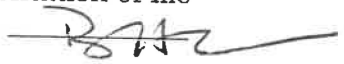
RIGHT TO APPEAL:


36. I understand that if I wish to appeal I must appeal any sentence pronounced upon me to Superior Court of Pennsylvania within thirty (30) days of today's date, unless the Court vacates the sentence before that period of thirty (30) days expires, or unless I file an optional post-sentence motion. If any post-sentence motion is denied, I must appeal within thirty (30) days of that denial. 

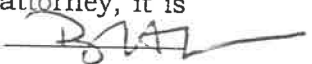
37. I have the right to the assistance of counsel in such an appeal, and if I can not afford an attorney of my own, I may apply to this Court and an attorney will be appointed to represent me free of charge. 

38. If I can not afford the costs of an appeal, I may also apply to the Court and I may be permitted to proceed without payment of costs. 

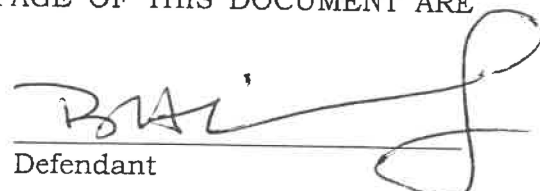
TO MY LAWYER:

39. I have had enough time to discuss these charges with my lawyer, and I am satisfied with the advice that he has given to me, and with his representation of me before this Court. 

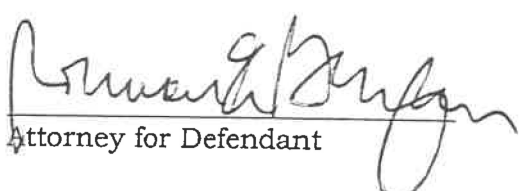
40. I have gone over this document with my attorney, and he has explained it to me and answered any questions I have concerning it. 

41. I further agree that, although I have been assisted by my attorney, it is my own decision to enter the plea that I making here today. 

I AFFIRM THAT I HAVE READ THE ABOVE DOCUMENT IN ITS ENTIRETY AND I UNDERSTAND ITS FULL MEANING, AND I AM STILL, NEVERTHELESS, WILLING TO ENTER A PLEA OF GUILTY TO THE OFFENSES SPECIFIED. I FURTHER AFFIRM THAT MY SIGNATURE AND INITIALS ON EACH PAGE OF THIS DOCUMENT ARE TRUE AND CORRECT.


Defendant

As attorney for the above defendant, I have explained to (him)(her)[his][her]rights with respect to the charges against (him)(her). I have also explained the rights set forth in this document. I certify that I am satisfied that the defendant understands (his)(her) rights and has voluntarily and knowingly chosen to enter a plea of (guilty) ~~(not a contender)~~.


Attorney for Defendant

COURT ACTION

X

The defendant is found to have understandingly completed or participated in the completion of the foregoing guilty plea form, and to have voluntarily and intelligently entered a plea of guilty to the charges described herein.

X

Defendant's guilty plea(s) is/are accepted.

X

The foregoing Plea Agreement is approved.

X

Defendant is sentenced in accordance with the Plea Agreement.

Select one (1) of the following three (3) options:

_____ Defendant is not eligible for work release.

_____ Defendant is eligible for work release after _____.

_____ Defendant is eligible for work release at the discretion of the Warden.

Check if applicable:

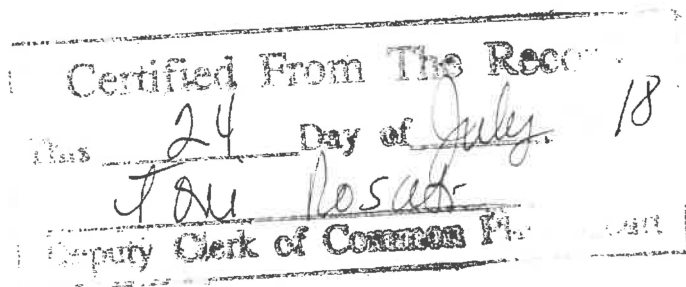
_____ It is hereby Ordered that the Court's Policy requiring immediate payment of fines and costs be waived in this matter and the Defendant is to pay the Court imposed fines and costs within _____ months at a rate determined by the Probation Office.

BY THE COURT:

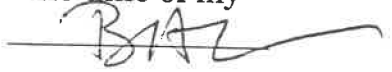
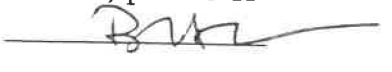




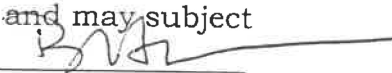
Date: 7/23/18

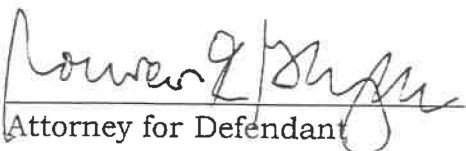
Amin Ali

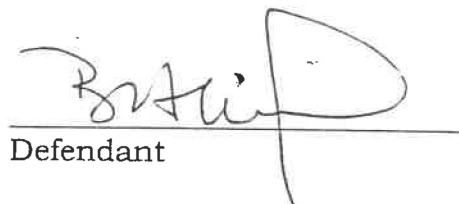
J.



Addendum to Guilty Plea Colloquy

1. I understand that fines and costs ^{may be} ~~have been~~ imposed at the time of my sentencing in this matter. 
2. I understand that my obligation to pay fines and costs begins at the time of sentencing and continues through any periods of probation, parole or incarceration. 
3. I understand that at my initial meeting with my probation or parole officer I will be given a monthly payment plan for my fines and costs based upon the amount ordered divided by the number of months of my supervision. 
4. I understand that if I am unable to pay the monthly amount as calculated I can request that the monthly amount be modified by my probation or parole officer based upon my individual circumstances as supported by my financial documents. 
5. I understand that in monitoring my monthly payments and ability to pay, upon request of my probation or parole officer, I must make a reasonable effort to provide financial documents, including, but not limited to, tax returns, earnings statements, pay-stubs or bank records. 
6. I understand that should I fail to produce financial documents as requested it may be treated as a violation of the terms of my supervision and subject me to probation or parole violation proceedings. 
7. I understand that failure to comply with my monthly payment plan may be considered a violation of the terms of my supervision and may subject me to probation or parole violation proceedings. 


Attorney for Defendant


Defendant

AMENDED ☐

SENTENCING SHEET

Dkt. No. CR-1714-18 OTN U-561393-3 (Page of) Date JULY 23, 2018 CC: 2-Sheriff
 Defendant Bruce Ziff Judge BORTNER 1-APO
 Alias(es) DA Sweeney 1-BAIL
 Defense Cordeiro CCP(fax)
 Reporter Zarosa Other:
 P/A O/G Nolo Alford Plea Clerk Bamba/Herman

COUNT: 1 CHARGE: Admin etc of wtr. subst by vult
 Committed: yr mo days hrs TO yr mo days
 Probation: 5 yr mo days ☐ Consecutive to Parole
 FINE: \$0 & COSTS SERVE AT CCP SCI ☐ RRRI Minimum:
 RESTITUTION:
 CONC w/ CONS to

☐ Mandatory Sentence ☐ Megan's Law ☐ DNA Testing
 COUNT: 2 CHARGE: Admin etc of wtr. subst by vult
 Committed: yr mo days hrs TO yr mo days
 Probation: 5 yr mo days ☐ Consecutive to Parole
 FINE: & COSTS SERVE AT CCP SCI ☐ RRRI Minimum:
 RESTITUTION:
 CONC w/ #1 CONS to

☐ Mandatory Sentence ☐ Megan's Law ☐ DNA Testing
 COUNT: 3 CHARGE: Admin etc of wtr. subst by vult
 Committed: yr mo days hrs TO yr mo days
 Probation: 5 yr mo days ☐ Consecutive to Parole
 FINE: \$0 & COSTS SERVE AT CCP SCI ☐ RRRI Minimum:
 RESTITUTION:
 CONC w/ #2 CONS to

☐ Mandatory Sentence ☐ Megan's Law ☐ DNA Testing
 COUNT: 4 CHARGE: Admin etc of wtr. subst by vult
 Committed: yr mo days hrs TO yr mo days
 Probation: 5 yr mo days ☐ Consecutive to Parole
 FINE: \$0 & COSTS SERVE AT CCP SCI ☐ RRRI Minimum:
 RESTITUTION:
 CONC w/ #3 CONS to

☐ Mandatory Sentence ☐ Megan's Law ☐ DNA Testing
☒ Other Counts are W/D - Costs on Defendant
☐ Sentence to commence
☐ Credit for time
☐ Parole Order Signed
☐ Eligible for Parole
☐ Eligible for RRRI Program ☐ RRRI Ineligible
☐ RRRI Ineligibility Waived by DA
☐ Eligible for Re-entry Plan
☐ Electronic Home Confinement (EHC) for
☐ No Contact w/
☐ No Criminal Contact w/
☐ Chronic Substance Abuse Program
☐ Community Service Hrs.
☒ Other: cannot apply to reinstate DEA license
☐ CRN Evaluation; ☐ A.H.S.S.
☐ BAC Drug Type
☐ License Surrendered ☐ Affidavit Surrendered
☐ FLAF \$
☐ Drug/Alcohol Evaluation & recommended treatment
☐ Mental Health Evaluation & recommended treatment
☐ Mental Health Protocol
☐ Mental Health Court
☐ Anger Management
☐ Domestic Violence Program
☐ Sex Offense Assessment and Recommended Treatment
☐ Work Release Eligible at Warden's discretion
☐ Sentence may be served at CCP at Warden's discretion
☐ BOOT CAMP Eligible
☐ Non-Reporting during if in compliance
☐ Waiver of Supervision Fee
☐ Pay Within

BY THE COURT:
 Honorable David F. Bortner, J.
 Deputy Clerk of Courts
 CERTIFIED FROM THE RECORD
 This 23 day of JULY 20 18

AMENDED ☐

SENTENCING SHEET

Dkt. No. CR-1714-18 OTN U-561493-3 (Page of) Date JULY 23, 2018 CC:
Defendant: Bruce Zier Judge BORTNER 2-Sheriff
Alias(es) DA Sweeney 1-APO
Defense Orpenspan 1-BAIL
Reporter Zuroski CCP(fax)
P/A O/G Nolo Alford Plea Clerk Bamba/Herman Other:
Sentencing Re-Sentencing

COUNT: 5 CHARGE: DEAL IN PROX. UNL ACT
Committed: yr mo days hrs TO yr mo days
Probation: 5 yr mo days ☐ Consecutive to Parole
FINE: \$0 & COSTS SERVE AT CCP SCI ☐ RRRI Minimum:
RESTITUTION:
CONC w/ #1, 2, 3, 4 CONS to
☐ Mandatory Sentence ☐ Megan's Law ☐ DNA Testing

COUNT: CHARGE:
Committed: yr mo days hrs TO yr mo days
Probation: yr mo days ☐ Consecutive to Parole
FINE: & COSTS SERVE AT CCP SCI ☐ RRRI Minimum:
RESTITUTION:
CONC w/ CONS to
☐ Mandatory Sentence ☐ Megan's Law ☐ DNA Testing

COUNT: CHARGE:
Committed: yr mo days hrs TO yr mo days
Probation: yr mo days ☐ Consecutive to Parole
FINE: & COSTS SERVE AT CCP SCI ☐ RRRI Minimum:
RESTITUTION:
CONC w/ CONS to
☐ Mandatory Sentence ☐ Megan's Law ☐ DNA Testing

COUNT: CHARGE:
Committed: yr mo days hrs TO yr mo days
Probation: yr mo days ☐ Consecutive to Parole
FINE: & COSTS SERVE AT CCP SCI ☐ RRRI Minimum:
RESTITUTION:
CONC w/ CONS to
☐ Mandatory Sentence ☐ Megan's Law ☐ DNA Testing

☒ Other Counts are W/D - Costs on Defendant
☐ Sentence to commence
☐ Credit for time
☐ Parole Order Signed
☐ Eligible for Parole
☐ Eligible for RRRI Program ☐ RRRI Ineligible
☐ RRRI Ineligibility Waived by DA
☐ Eligible for Re-entry Plan
☐ Electronic Home Confinement (EHC) for
☐ No Contact w/
☐ No Criminal Contact w/
☐ Chronic Substance Abuse Program
☐ Community Service Hrs.
☒ Other: cannot Apply to Reinstate
DEA License
☐ CRN Evaluation; ☐ A.H.S.S.
☐ BAC Drug Type Amt.
☐ License Surrendered ☐ Affidavit Surrendered
☐ FLAF \$
☐ Drug/Alcohol Evaluation & recommended treatment
☐ Mental Health Evaluation & recommended treatment
☐ Mental Health Protocol
☐ Mental Health Court
☐ Anger Management
☐ Domestic Violence Program
☐ Sex Offense Assessment and Recommended Treatment
☐ Work Release Eligible at Warden's discretion
☐ Sentence may be served at CCP at Warden's discretion
☐ BOOT CAMP Eligible
☐ Non-Reporting during if in compliance
☐ Waiver of Supervision Fee
☐ Pay Within

BY THE COURT:

David F. Bortner

Honorable David F. Bortner, J.

CERTIFIED FROM THE RECORD

This 23 day of JULY 20 18

Kingza Bamba
Deputy Clerk of Courts



**COMMONWEALTH OF PENNSYLVANIA
OFFICE OF GENERAL COUNSEL**

Peter D. Kovach
Senior Counsel in Charge

pkovach@pa.gov
Counsel Division

September 6, 2018

**VIA CERTIFIED AND
FIRST CLASS MAIL**

Bruce Alexander Lief, M.D.
2701 Holme Ave
Philadelphia, PA 19152

VIA INTEROFFICE MAIL

Tara J. Smith, Prosecuting Attorney
Department of State
P.O. Box 69521
Harrisburg, PA 17106-9521

RE: **Notice and Order of Automatic Suspension issued in *Commonwealth of Pennsylvania, Bureau of Professional and Occupational Affairs v. Bruce Alexander Lief, M.D.*, Case No.: 18-49-003742**

Dear Dr. Lief and Attorney Smith:

Enclosed please find a Notice and Order of Automatic Suspension in the above-referenced matter issued this date.

Sincerely,

Peter D. Kovach
Board Legal Counsel
State Board of Medicine

PDK/pdk

Enclosure: Notice and Order of Automatic Suspension

cc: Suzanne Zerbe, Board Administrator
State Board of Medicine

