

New York State Board for Professional Medical Conduct



In 1806, the state of New York passed the first Medical Practice Act in the United States. One hundred and seventy years later, the New York State Legislature created the [New York State Board for Professional Conduct](#) for the purpose of adjudicating medical misconduct cases against physicians, physician assistants, doctors of osteopathic medicine, specialist assistants and medical residents.

Prior to the creation of the board, the New York State Education Department handled both physician education and physician discipline. When the legislature split the licensing and disciplinary processes between the Departments of Education and Health, the board became responsible for investigating complaints, conducting hearings and recommending disciplinary actions to the Education Department. The Education Department and its governing body, the Board of Regents, determined final actions in all physician discipline cases.

In 1991, the legislature again modified the process. While the Education Department continued to grant licenses, the Health Department took over all disciplinary functions - including license revocation - for physicians, physician assistants and specialist assistants. The board assumed sole responsibility for determining final administrative actions in physician discipline cases. Other health care professionals such as nurses, dentists and podiatrists continue to be licensed and disciplined by the Education Department.

The New York State Board for Medical Professional Conduct is the largest physician discipline board in the country. Its membership ranges from 140 to 160 physician and lay members. Three distinguished members of the board have served as president of the FSMB: [Harold Rypins, M.D.](#) (1931-32), Jacob L. Loehner, M.D. (1949-50), and [John H. Morton, M.D.](#) (1976-77). In addition, [Arthur S. Hengerer, M.D.](#), currently serves on the FSMB Board of Directors as a Director-at-Large.