



STATE OF NEW YORK
OFFICE OF THE INSPECTOR GENERAL
OFFICE OF THE WELFARE INSPECTOR GENERAL
OFFICE OF THE WORKERS' COMPENSATION FRAUD INSPECTOR GENERAL

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LETIZIA TAGLIAFIERRO
INSPECTOR GENERAL

January 23, 2020

Howard A. Zucker, M.D., J.D.
Commissioner
c/o Richard J. Zahnleuter, Esq.
General Counsel
New York State Department of Health
Corning Tower, Room 2438
Empire State Plaza
Albany, New York 12237

Re: NYS IG 1668-032-2018

Dear Commissioner Zucker:

On May 22, 2018, a complaint was referred to the Offices of the New York State Inspector General alleging that Dr. Hilary E. Baldwin (NY License No: [REDACTED]), a dermatologist previously employed by the State University of New York at its Downstate Health Sciences University (SUNY Downstate) in Brooklyn, was providing controlled substances to individuals in exchange for tickets to Yankees and Rangers games.

The Inspector General investigated this allegation and found that from June 30, 1989 through December 31, 2010, Baldwin was an associate professor of clinical dermatology at SUNY Downstate. After retiring from this position on December 31, 2010, Baldwin returned to SUNY Downstate as an unpaid voluntary associate professor from March 2011 through December 31, 2012.

The investigation, which included a review of Baldwin's SUNY Downstate email account, revealed email messages indicating that Baldwin wrote prescriptions for

controlled substances for an individual named [REDACTED] on two separate occasions.¹ In the first email exchange, [REDACTED] sent an email message to Baldwin's SUNY Downstate email account on May 2, 2011, claimed his doctor was on vacation, and requested Baldwin write a prescription for promethazine with codeine, with an additional refill. In this email message, [REDACTED] also listed tickets that were available for various Yankees baseball games. Baldwin replied to [REDACTED] that next day in several email messages from her SUNY Downstate account and advised that she had prepared the prescriptions for pick up. Further, Baldwin wrote, "[N]o refills are allowed on narcotic prescriptions, so I have sent you three scripts, two without dates. Before you take them to the pharmacy, make sure you enter the date in the appropriate space with a black pen. H." Baldwin later sent an email message to [REDACTED] requested tickets to two Yankees games, and provided [REDACTED] with the address of her office in Brooklyn where his messenger could pick up the prescriptions and drop off the tickets.

On the second occasion, February 24, 2014, Baldwin again exchanged emails with [REDACTED] in which she agreed to provide him with a prescription for promethazine with codeine. In his email message to Baldwin's SUNY Downstate account, [REDACTED] advised that his doctor was away and requested prescriptions for promethazine with codeine.² Baldwin replied from her SUNY Downstate email account writing, "No problem. It is ready for you now. Will be here until 7 pm. H."

The Inspector General, in September 2019, notified SUNY of its findings and recommended that it conduct an audit of Baldwin's prescribing activity and refer any information to the New York State Office of Professional Medical Conduct (OPMC) and the State Board of Medical Examiners in New Jersey, if appropriate.³ In response, in December 2019, SUNY advised that it has no records relating to Baldwin's prescribing activity and therefore would not refer any matters to OPMC or the State Board of Medical Examiners in New Jersey.

Given the above, I am providing this information to OPMC for its review and any action deemed appropriate. My investigative files will be made available for your inspection. If you require further information, please contact Deputy Inspector General Jessica Silver at 212.635.3150.

Sincerely,



Letizia Tagliafierro
Inspector General

Cc: Jason Warn
Assistant Director of Investigations
New York State Office of Professional Medical Conduct

¹ Three addresses were associated with Baldwin's SUNY Downstate account: hbaldwin@downstate.edu, Hilary.Baldwin@downstate.edu, and Hilary.Baldwin@SUNYDMC.onmicrosoft.com.

² Although Baldwin's affiliation with SUNY ended in 2012, her SUNY email accounts were not deactivated until 2017.

³ Baldwin is listed as a dermatologist at the Acne Treatment & Research Center, a private practice in Morristown, New Jersey.