NEW YORK STATE
DEPARTMENT OF FINANCIAL SERVICES

In the Matter of the Authorization of	:	**STIPULATION**
	:	**OF DEAUTHORIZATION**
DAN STEVEN LEWIS, MD,	:	
	:	
Respondent.	:	

WHEREAS, Respondent Dan Steven Lewis ~~is~~ WAS a physician licensed by the New York State Department of Education, license number 188356; and

WHEREAS, the attached Citation, dated April 23, 2013, was issued by the New York State Department of Financial Services ("DFS") and duly served upon Respondent at 680 West Boston Post Road, Apt. 1R, Mamaroneck, NY 10543, charging that Respondent has been found guilty of professional or other misconduct or incompetency in connection with medical services rendered under Article 51 of the Insurance Law; and

WHEREAS, Respondent had been advised and was aware of his statutory right to notice and a hearing on said charge and that if it is sustained upon hearing he will be deemed not authorized to demand or request payment for medical services in connection with any claim under Article 51 of the Insurance Law; and

WHEREAS, the hearing scheduled for June 6, 2013 at 3:30 P.M. proceeded without Respondent, who failed to appear until approximately 4:45 P.M., after the hearing had concluded, at which time ALJ Kay Gardiner advised Respondent that he could appear at a later, rescheduled date if he so chose, and Respondent informed ALJ Gardiner that he did not wish to contest the charges;

WHEREAS, Respondent wishes to resolve this matter by entering into a Stipulation with the DFS on the terms and conditions hereinafter set forth in lieu of proceeding with a hearing.

NOW THEREFORE, IT IS HEREBY STIPULATED AND AGREED by and between the Respondent and the DFS, subject to the approval of the Superintendent of Financial Services, as follows:

1. Respondent admits that on or about February 1, 2011, Respondent was found guilty of the charge of professional misconduct brought by the State Board for Professional Medical Conduct of the New York State Department of Health in connection with a Determination and Order issued under BPMC number 11-25. The aforementioned professional misconduct determination was based on Respondent's criminal conduct in connection with medical services

rendered under Article 51 of the Insurance Law. That conduct resulted in Respondent pleading guilty to a charge of Scheme to Defraud in the 1st Degree (Penal Law Section 190.65(1)(b)), a class "E" felony, in the Supreme Court of the State of New York, Queens County, on or about April 6, 2009.

2. Respondent, having had the opportunity to consult with counsel, hereby waives his right to further notice and a further hearing on said charge and agrees, in lieu of any other regulatory action which might be taken by the DFS in consequence of the foregoing, to the terms of this Stipulation.

3. Respondent hereby acknowledges that as of the date of this Stipulation he shall not be authorized to demand or request, and shall not demand or request, any payment for medical services in connection with any claim under Article 51 of the Insurance Law, and that such deauthorization shall have the same force and effect as if he were deemed not authorized to demand or request payment for medical services under Article 51 of the Insurance Law following notice and a hearing on said charge.

4. Upon execution of the Stipulation by the parties, and approval by the Superintendent of Financial Services, the proceeding commenced by the attached Citation shall be resolved and discontinued by the DFS.

Dated: New York, NY
June 18, 2013

NEW YORK STATE
DEPARTMENT OF FINANCIAL SERVICES

By: _____
Brian Montgomery
Associate Counsel

By: _____
Dan Steven Lewis
Respondent

STATE OF New York)
) ss.:
COUNTY OF Westchester)

On the 20th day of June 2013 before me personally came Dan Steven Lewis to me known to be the individual described in and who executed the foregoing Stipulation and acknowledged that he so did.

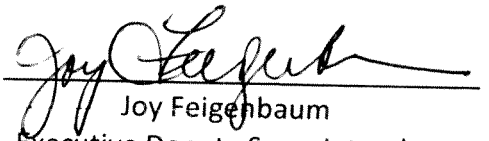
_____
Notary Public

DONALD GOLDSMITH
Notary Public, State of New York
No. 01GO6021034
Qualified in Westchester County
Commission Expires Dec. 6, 2013

THE FOREGOING STIPULATION IS HEREBY APPROVED.

Dated: New York, NY
June 26, 2013

BENJAMIN LAWSKY
Superintendent of the Department of Financial Services

By: 
Joy Feigenbaum
Executive Deputy Superintendent