



**Department
of Health**

Public

ANDREW M. CUOMO
Governor

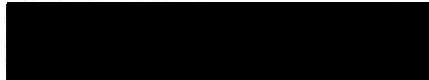
HOWARD A. ZUCKER, M.D., J.D.
Acting Commissioner

SALLY DRESLIN, M.S., R.N.
Executive Deputy Commissioner

January 27, 2015

CERTIFIED MAIL-RECEIPT REQUESTED

Grigory Kliger, M.D.



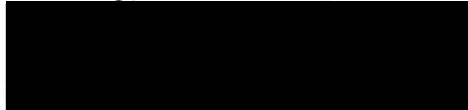
Re: License #193593

Dear Dr. Kliger:

Enclosed is a copy of the New York State Board for Professional Medical Conduct (BPMC) Order No. 15-019. This Interim Order of Conditions is effective February 3, 2015.

Please direct any questions to: Board for Professional Medical Conduct, 90 Church Street, 4th Floor, New York, NY 10007-2919, telephone # 212-417-4445.

Sincerely,



Katherine A. Hawkins, M.D., J.D.
Executive Secretary
Board for Professional Medical Conduct

cc: Victor Worms, Esq.
Anna Val, Esq.
65 Broadway, Suite 750
New York, NY 10006

IN THE MATTER
OF
GRIGORY KLIGER, M.D.

INTERIM
ORDER
OF CONDITIONS
PURSUANT TO
N.Y. PUB. HEALTH
LAW § 230

Upon the application of GRIGORY KLIGER, M.D. (Licensee) in the attached Stipulation and Application for an Interim Order of Conditions Pursuant to N.Y. Pub. Health Law § 230, which is made a part of this Interim Order of Conditions Pursuant to N.Y. Pub. Health Law § 230, it is agreed that the Application, and its terms, are adopted, and this Order shall be effective upon issuance by the Board, either

- by mailing of a copy of this Order by first class mail to Licensee at the address in the attached Application or by certified mail to Licensee's attorney, or
- upon facsimile transmission to Licensee or Licensee's attorney, whichever is first.

SO ORDERED.

DATE 1/26/2015


ARTHUR S. HENGERER, M.D.
Chair
State Board for Professional Medical Conduct

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

**IN THE MATTER
OF
GRIGORY KLIGER, M.D.**

**STIPULATION AND
APPLICATION
FOR AN INTERIM
ORDER OF
CONDITIONS
PURSUANT TO
N.Y. PUB. HEALTH
LAW § 230**

Grigory Kliger, M.D., represents that all of the following statements are true:

That on or about September 2, 1993, I was licensed to practice as a physician in the State of New York and issued License No. 193593 by the New York State Education Department.

My current address is [REDACTED]

[REDACTED] and I will advise the Director of the Office of Professional Medical Conduct of any change of address. I am affiliated with the following hospitals and/or facilities:

I understand that the New York State Board for Professional Medical Conduct ("the Board") has scheduled a misconduct proceeding pursuant to N.Y. Pub. Health Law § 230 with respect to the issues set forth in attached Exhibit "A" ("Amended Statement of Charges").

I agree to the Board's issuance of an Interim Order of Conditions precluding me from practicing medicine in New York State and I agree to be bound by the Order, which shall continue in effect until:

- the resolution by consent order of the matters identified in the Amended Statement of Charges; or

- issuance and service of a Hearing Committee's Determination and Order after the conclusion of a hearing held pursuant to a determination of the Commissioner of Health or the Director of the Office of Professional Medical Conduct. The Hearing Committee's Determination and Order shall replace this Interim Order of Conditions. If either party requests review by the Administrative Review Board, the Hearing Committee's Determination and Order, and any sanction, terms or conditions imposed upon me, shall remain in effect until the ARB renders its determination and shall, in the same manner as a Commissioner's Order pursuant to N.Y. Pub. Health Law § 230-c(4), not be subject to a stay.

I understand that nothing in this Application shall be construed as an admission by me of any act of alleged misconduct or as a finding of misconduct as to the matters under investigation. My application for the proposed Interim Order is made in consideration of the value to me, to allow for additional preparation time. I deny any acts of misconduct and reserve my right to assert all defenses on my behalf in any later or other proceeding.

This Interim Order shall set the following Conditions upon my practice:

1. Licensee's conduct shall conform to moral and professional standards of conduct and governing law. Any act of professional misconduct by Licensee as defined in N.Y. Educ. Law §§ 6530 or 6531 shall constitute a violation of this Order and may subject Licensee to an action pursuant to N.Y. Pub. Health Law § 230.

2. Licensee shall provide the Director, Office of Professional Medical Conduct (OPMC), Riverview Center, 150 Broadway, Suite 355, Albany, New York 12204-2719 with the following information, in writing, and ensure that this information is kept current: a full description of Licensee's employment and practice; all professional and residential addresses and telephone numbers within and outside New York State; all current and past affiliations and/or privileges, with hospitals, institutions, facilities, medical practices, managed care organizations, and/or applications for such affiliations and/or privileges; and all investigations, arrests, charges, convictions or disciplinary actions by any local, state or federal agency, institution or facility. Licensee shall notify OPMC, in writing, within 30 days of any additions to or changes in the required information.
3. Licensee shall cooperate fully with OPMC in its administration and enforcement of this Interim Order and in its investigation of Licensee.
 - a. Licensee shall respond in a timely manner to all OPMC requests for written periodic verification of compliance with the terms of this Interim Order.
 - b. Licensee shall meet in person with the Director's designee, as directed.
 - c. Licensee shall respond promptly and provide all documents and information within Licensee's control, as directed. This condition shall

take effect upon the effective date of the Interim Order and shall continue while Licensee possesses a license.

d. Licensee shall maintain complete and legible medical records that accurately reflect the evaluation and treatment of patients.

4. The Director may review Licensee's professional performance. This review may include but shall not be limited to a review of office records, patient records and/or hospital charts; and interviews with or periodic visits with Licensee and staff at practice locations or OPMC offices.
5. Licensee shall provide access for DOH personnel to Licensee's office(s) to verify Licensee's compliance with this Interim Order; this access shall include, but not be limited to, on-site inspections, observation and interviews.
6. Licensee shall comply with this Order and all its terms, and shall bear all associated compliance costs.

I stipulate that:

My failure to comply with the Conditions imposed by this Interim Order shall constitute professional misconduct as defined in N.Y. Educ. Law § 6530(29); and

Any practice of medicine by me in New York State in violation of this Interim Order shall be unauthorized and constitute professional misconduct as defined in N.Y. Educ. Law § 6530(2); and

Unauthorized medical practice is a felony as defined in N.Y. Educ. Law § 6512.

I understand and agree that my failure to comply with any of the terms of this Interim Order shall authorize the Director, exercising reasonable discretion, to pursue

further investigation and/or prosecution of misconduct charges against me as to any misconduct issues, including but not limited to those set forth in Exhibit "A", to the full extent authorized by N.Y. Pub. Health Law and N.Y. Educ. Law.

I agree that, if the Board grants this Application, the Chair of the Board shall issue an Interim Order of Conditions in accordance with its terms. I further agree that the Department of Health shall notify the National Practitioner Data Bank and the Federation of State Medical Boards of this Interim Order of Conditions pursuant to N.Y. Pub. Health Law § 230 and that the change in my licensure status is not disciplinary in nature. This Interim Order of Conditions shall be posted on the Department of Health website(s).

I make this Application of my own free will and not under duress, compulsion or restraint. In consideration of the value to me of the Board's acceptance of this Application, I waive my right to contest the Interim Order for which I apply, whether administratively or judicially, I agree to be bound by the Interim Order, and I ask that the Board grant this Application.

I understand and agree that the attorney for the Department, the Director of the Office of Professional Medical Conduct and the Chair of the State Board for Professional Medical Conduct each retain complete discretion either to enter into the proposed agreement and Interim Order, based upon my Application, or to decline to do so. I further understand and agree that no prior or separate written or oral communication can limit that discretion.

DATE

11/20/14


GRIGORI WILGER, M.D.
Licensee

The undersigned agree to Licensee's attached Consent Agreement and to its proposed terms and conditions.

DATE: 1/13/14

[REDACTED]

VICTOR A. WORMS, ESQ.
Attorney for Licensee

DATE: 1/13/14

[REDACTED]

ANNA VAL, ESQ.
Attorney for Licensee

DATE: 1/13/15

[REDACTED]

JUDE B. MURPHY
Associate Counsel
Bureau of Professional Medical Conduct

DATE: 1/23/15

[REDACTED]

KEITH W. SERVIS
Director
Office of Professional Medical Conduct

EXHIBIT "A"

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

IN THE MATTER
OF
GRIGORY KLIGER, M.D.
CO-13-08-4548-A

AMENDED
STATEMENT
OF
CHARGES

GRIGORY KLIGER, M.D., Respondent, was authorized to practice medicine in New York State on September 2, 1993, by the issuance of license number 193593 by the New York State Education Department.

FACTUAL ALLEGATIONS

A. On or about February 1, 2005, in the United States District Court, Eastern District of New York, Respondent entered a plea of guilty to Conspiracy To Commit Health Care Fraud, a felony, in violation of 18 USC § 1349 and § 1347. Respondent was sentenced on August 1, 2008 to, among others, eighteen (18) months incarceration, followed by three years supervised release, 200 hours community service, six months home detention and \$2,500,756.00 restitution.

B. On or about June 27, 2006, with intent to deceive, Respondent answered "no" to the question, since your last registration period, "Have you been found guilty after trial, or pleaded guilty, no contest, or nolo contendere to a crime (felony or misdemeanor) in any court?" on his New York State medical license Registration Renewal for the period October 1, 2006 through September 30, 2008 when, in fact, Respondent entered a plea of guilty on or about February 1, 2005 in United States District Court, Eastern District of New York, to Conspiracy to Commit Health Care Fraud, a felony, in violation of 18 USC §§ 1349 and 1347, and Respondent was aware of such facts.

C. On or about August 13, 2013, the State of Florida Board of Medicine (hereinafter "Florida Board") revoked Respondent's license to practice medicine and fined him \$10,000 by Final Order ("Florida Order") after adopting and approving the State of Florida Division of Administrative Hearings Recommended Order ("Florida ALJ Recommended Order"), which

found, among others, that Respondent had been found guilty of Conspiracy to Commit Health Care Fraud in violation of 18 USC 1347 and 1349, and that his crime and/or conduct was directly related to the practice of medicine.

D. The conduct resulting in the Florida Board Order against Respondent would constitute misconduct under the laws of New York State, pursuant to the following sections of New York State law:

1. Education Law §6530 (2) (practicing the profession fraudulently);
2. Education Law §6530 (20) (moral unfitness), and/or
3. Education Law §6530 (21) (willfully making or filing a false report).

SPECIFICATIONS OF MISCONDUCT

FIRST SPECIFICATION

Respondent violated New York State Education Law §6530 (9)(a)(ii) by having been convicted of committing an act constituting a crime under federal law, in that Petitioner charges:

1. The facts in Paragraph A.

SECOND SPECIFICATION

Respondent violated New York State Education Law §6530 (2) by practicing the profession fraudulently, in that Petitioner charges:

2. The facts in Paragraphs A and B.

THIRD SPECIFICATION

Respondent violated New York State Education Law §6530 (9)(b) by having been found guilty of improper professional practice or professional misconduct by a duly authorized professional disciplinary agency of another state where the conduct upon which the finding was based would, if committed in New York State, constitute professional misconduct under the laws of New York State, in that Petitioner charges:

3. The facts in Paragraphs C and D.

FOURTH SPECIFICATION

Respondent violated New York State Education Law §6530 (9)(d) by having his 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, in that Petitioner charges:

4. The facts in Paragraphs C and D.

DATED: *Sept. 9*, 2014
Albany, New York



MICHAEL A. HISER
Deputy Counsel
Bureau of Professional Medical Conduct