



***New York State Board for Professional Medical Conduct***

*433 River Street, Suite 303 • Troy, New York 12180-2299 • (518) 402-0863*

*Richard F. Daines, M.D.*  
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*NYS Department of Health*  
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*Keith W. Servis, Director*  
*Office of Professional Medical Conduct*

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*Vice Chair*  
*Katherine A. Hawkins, M.D., J.D.*  
*Executive Secretary*

July 7, 2010

***CERTIFIED MAIL-RETURN RECEIPT REQUESTED***

Ranen Chakraborty, D.O.  
REDACTED

Re: License No. 207172

Dear Dr. Chakraborty:

Enclosed is a copy of BPMC #10-119 of the New York State Board for Professional Medical Conduct. This order and any penalty provided therein goes into effect July 14, 2010.

Sincerely,

REDACTED

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

Enclosure

cc: Stephen J. Rehfuss, Esq.  
Rehfuss, Liguori & Assoc., P.C.  
40 British American Boulevard  
Latham, NY 12110

IN THE MATTER  
OF  
RANEN CHAKRABORTY, D.O.

CONSENT  
ORDER

BPMC # 10-119

Upon the application of (Respondent) RANEN CHAKRABORTY, D.O. in the attached Consent Agreement and Order, which is made a part of this Consent Order, it is

ORDERED, that the Consent Agreement, and its terms, are adopted and it is further

ORDERED, that this Consent Order shall be effective upon issuance by the Board, either

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

SO ORDERED.

REDACTED

DATE: July 3, 2010

KENDRICK A. SEARS, M.D.  
Chair  
State Board for Professional Medical Conduct

IN THE MATTER  
OF  
RANEN CHAKRABORTY, D.O.

CONSENT  
AGREEMENT  
AND  
ORDER

RANEN CHAKRABORTY, D.O., represents that all of the following statements are true:

That on or about June 25, 1997, I was licensed to practice as a physician in the State of New York, and issued License No. 207172 by the New York State Education Department.

My current address is \_\_\_\_\_, and I will advise the Director of the Office of Professional Medical Conduct of any change of address.

I understand that the New York State Board for Professional Medical Conduct (Board) has charged me with two specifications of professional misconduct.

A copy of the Statement of Charges, marked as Exhibit "A", is attached to and part of this Consent Agreement.

I do not contest the second specification, in full satisfaction of the charges against me, and agree to the following penalty:

Pursuant to N.Y. Pub. Health Law § 230-a(1), I shall be subject to a Censure and Reprimand.

I further agree that the Consent Order shall impose the following conditions:

That Respondent shall remain in continuous compliance with all requirements of N.Y. Educ. Law § 6502 including but not limited to the requirements that a licensee shall register and continue to be registered with the New York State Education Department (except during periods of actual suspension) and that a licensee shall pay all registration fees. Respondent shall not exercise the option provided in N.Y. Educ. Law § 6502(4) to avoid registration and payment of fees. This condition shall take effect 120 days after the Consent Order's effective date and will continue so long as Respondent remains a licensee in New York State; and

That Respondent shall cooperate fully with the Office of Professional Medical Conduct (OPMC) in its administration and enforcement of this Consent Order and in its investigations of matters concerning Respondent. Respondent shall respond in a timely manner to all OPMC requests for written periodic verification of Respondent's compliance with this Consent Order. Respondent shall meet with a person designated by the Director of OPMC, as directed.

Respondent shall respond promptly and provide all documents and information within Respondent's control, as directed. This condition shall take effect upon the Board's issuance of the Consent Order and will continue so long as Respondent remains licensed in New York State.

I stipulate that my failure to comply with any conditions of this Consent Order shall constitute misconduct as defined by N.Y. Educ. Law § 6530(29).

I agree that, if I am charged with professional misconduct in future, this Consent Agreement and Order **shall** be admitted into evidence in that proceeding.

I ask the Board to adopt this Consent Agreement.

I understand that if the Board does not adopt this Consent Agreement, none of its terms shall bind me or constitute an admission of any of the acts of alleged misconduct; this Consent Agreement shall not be used against me in any way and shall be kept in strict confidence; and the Board's denial shall be without prejudice to the pending disciplinary proceeding and the Board's final determination pursuant to N.Y. Pub. Health Law.

I agree that, if the Board adopts this Consent Agreement, the Chair of the Board shall issue a Consent Order in accordance with its terms. I agree that this Consent Order shall take effect upon its issuance by the Board, either by mailing of a copy of the Consent Order by first class mail to me at the address in this Consent Agreement, or to my attorney by certified mail, OR upon facsimile transmission to me or my attorney, whichever is first. The Consent Order, this agreement, and all attached Exhibits shall be public documents, with only patient identities, if any, redacted. As public documents, they may be posted on the Department's website.

I stipulate that the proposed sanction and Consent Order are authorized by N.Y. Pub. Health Law §§ 230 and 230-a, and that the Board and OPMC have the requisite powers to carry out all included terms. I ask the Board to adopt this Consent Agreement of my own free will and not under duress, compulsion or restraint. In consideration of the value to me of the Board's adoption of this Consent Agreement, allowing me to resolve this matter without the various risks and burdens of a hearing on the merits, I knowingly waive my right to contest the Consent Order for which I apply, whether administratively or judicially, I agree to

be bound by the Consent Order, and I ask that the Board adopt this Consent Agreement.

I understand and agree that the attorney for the Department, the Director of OPMC and the Chair of the Board each retain complete discretion either to enter into the proposed agreement and Consent 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 6/23/10

REDACTED

RANEN CHAKRABORTY, D/O.  
RESPONDENT

The undersigned agree to Respondent's attached Consent Agreement and to its proposed penalty, terms and conditions.

DATE: 6/23/10

REDACTED

~~STEPHEN J. REHFUSS, ESQ.~~  
Attorney for Respondent

DATE: 6-29-10

REDACTED

~~LEE A. DAVIS~~  
Associate Counsel  
Bureau of Professional Medical Conduct

DATE: 7/2/10

REDACTED

~~KEITH W. SERVIS~~  
Director  
Office of Professional Medical Conduct

IN THE MATTER  
OF  
RANEN CHAKRABORTY, D.O.

STATEMENT  
OF  
CHARGES

RANEN CHAKRABORTY, D.O., the Respondent, was authorized to practice medicine in New York State on or about June 25, 1997, by the issuance of license number 207172 by the New York State Education Department.

**FACTUAL ALLEGATIONS**

- A. Respondent provided medical care to Patient A (The patients are identified in the Appendix), a 45 year old woman, at Granville Family Health (GFH) in Granville, New York from March 10, 2004 until July 14, 2004 for chronic lower back pain. Respondent's care and treatment of Patient A deviated from accepted standards of medical care in the following respects:
1. During Patient A's initial visit on or about March 10, 2004, Respondent prescribed Oxycontin A without performing an adequate history and physical assessment.
  2. Respondent failed to adequately document sufficient information to justify prescribing Oxycontin for Patient A.
- B. Respondent provided medical care to Patient B, a 47 year old man, at GFH in Granville, New York starting on or about March 10, 2004 for chronic lower back pain. Respondent's care and treatment of Patient B deviated from accepted standards of medical care in the following respects:
1. During Patient B's initial visit on or about March 10, 2004, Respondent prescribed Oxycontin without performing an adequate history and physical assessment.



2. Respondent failed to adequately document sufficient information to justify prescribing Oxycontin for Patient B.
- C. Respondent provided medical care to Patient C, a 53 year old man, at GFH in Granville, New York on or about March 17, 2004. Respondent's care and treatment of Patient C deviated from accepted standards of medical care in the following respects:
1. Respondent failed to adequately identify potential differential diagnoses for Patient C's presenting symptoms and complaints.
  2. Respondent failed to provide a timely evaluation of Patient C's hepatobiliary system given his presenting symptoms and complaints.
- D. Respondent provided medical care to Patient D, a 56 year old man, when first treated by Respondent at GFH in Granville, New York from August 6, 2001 through March 11, 2005. Respondent's care and treatment of Patient D deviated from accepted standards of medical care in the following respects:
1. Respondent failed to perform and/or document a comprehensive physical assessment of Patient D by March 2003 despite the patient's documented age, medical history and medications.
  2. Respondent failed to timely diagnose and adequately treat Patient D's diabetes.

E. Respondent provided medical care to Patient E, a 52 year old woman, when first treated by Respondent at GFH in Granville, New York from September 25, 2001 through September, 2003. Respondent's care and treatment of Patient E deviated from accepted standards of medical care in the following respects:

1. Respondent failed to adequately treat and/or document his treatment of Patient E's hypothyroidism when identified on September 25, 2001.
2. Respondent failed to adequately monitor and treat Patient F's diabetes between May, 2002 and September, 2003.

### **SPECIFICATION OF CHARGES**

#### **FIRST SPECIFICATION**

#### **NEGLIGENCE ON MORE THAN ONE OCCASION**

Respondent is charged with committing professional misconduct as defined in N.Y. Educ. Law § 6530(3) by practicing the profession of medicine with negligence on more than one occasion as alleged in the facts of two or more of the following:

1. The facts set forth in Paragraphs A. and A.1, A. and A.2, B. and B.1, B. and B.2, C. and C.1, C. and C.2, D. and D.1, D. and D.2, E. and E.1 and/or E. and E.2.

#### **SECOND SPECIFICATION**

#### **FAILURE TO MAINTAIN RECORDS**

Respondent is charged with committing professional misconduct as defined in N.Y. Educ. Law § 6530(32) by failing to maintain a record for each patient which accurately reflects the care and treatment of the patient, as alleged in the facts of:

2. A. and A.2, B. and B.2, D. and D.1, and/or E. and E.1.

DATE: July 2, 2010  
Albany, New York

REDACTED

PETER D. VAN BUREN  
Deputy Counsel  
Bureau of Professional Medical Conduct