

**These charges are only allegations which  
may be contested by the licensee in an  
Administrative hearing.**

IN THE MATTER  
OF  
THOMAS MYDOSCH, M.D.

STATEMENT  
OF  
CHARGES

Thomas Mydosch, M.D., the Respondent, was authorized to practice medicine in New York State on or about December 31, 1987 by the issuance of license number 173340 by the New York State Education Department.

**FACTUAL ALLEGATIONS**

A. On or about June 18, 2015, Respondent voluntarily entered into Consent Order BPMC No. 15-160 ("Order") with the New York State Board for Professional Misconduct ("Board"). Respondent's conduct that gave rise to the discipline centered around his treatment and care of eight patients. Respondent discontinued his medical practice without giving notice to these eight patients, without making reasonable arrangements for the continuation of the patients' medical care and failed to forward the patients' medical records to their new medical provider despite many requests and/or attempts to have the records forwarded. By entering the Order, Respondent admitted guilt to abandoning or neglecting a patient under and in need of immediate professional care in violation of N.Y. Educ. Law §6530(30). The Order was approved by the Board on or about June 23, 2015 and became effective July 1, 2015. The Order imposed, among other things, the following penalties and conditions:

1. A condition that Respondent shall comply with Exhibit "C" of the Consent Agreement ("Requirements for Closing a Medical Practice Following Medical License Revocation, Surrender, Limitation or Suspension.")
2. A condition that Respondent shall cooperate fully with OPMC in its administration and enforcement of the Consent Order, and in its investigation of all matters concerning Respondent. Respondent was required to respond promptly to all OPMC requests for written periodic verification of Respondent's compliance with the terms of this Consent Order. Respondent was also required to meet with a person designated by the Director

of OPMC, and to promptly provide OPMC with all documents and information within Respondent's control, as directed.

B. Respondent failed to comply with the Board Order in the following ways: (1) Respondent failed to comply with the September 4, 2014 notice from OPMC staff providing Respondent with a written list of patients who had contacted OPMC to obtain a copy of their medical records.; (2) Respondent failed to comply with the June 19, 2015 notice from OPMC staff providing Respondent's attorney with two additional patient names who had requested medical records from Respondent pursuant to Exhibit C of the Consent Order; (3) Respondent failed to comply with the June 30, 2015, letter from OPMC staff requesting information in the form of a "data sheet", the close of practice requirements and a close of practice checklist.

C. Since August 16, 2015 Respondent has not provided any patient record to any patient, nor has he complied with the requirements of the order that he fully cooperate with OPMC, including responding promptly to all OPMC requests to provide written periodic verification of his compliance with the terms of the order.

**SPECIFICATION OF CHARGES**  
**FIRST SPECIFICATION**

**FAILURE TO COMPLY WITH AN ORDER**

Respondent is charged with committing professional misconduct as defined in N.Y. Educ. Law § 6530(15) by failing to comply with an order issued pursuant to subdivision seven, paragraph (a) of subdivision ten of section two hundred thirty of the public health law, as alleged in the facts of:

1. Paragraph A, B, and C.

**SECOND SPECIFICATION**

**VIOLATING ANY TERM OF PROBATION OR CONDITION OR LIMITATION**

Respondent is charged with committing professional misconduct as defined in N.Y. Educ. Law § 6530(29) by violating any term of probation or condition or limitation imposed on the licensee pursuant to section two hundred thirty of the public health law, as alleged in the facts of the following:

2. The facts in Paragraph A, B, and C.

**THIRD SPECIFICATION**

**FAILURE TO PROVIDE ACCESS TO PATIENT INFORMATION**

Respondent is charged with committing professional misconduct as defined in N.Y. Educ. Law § 6530(40) by failing to provide access by qualified persons to patient information in accordance with the standards set forth in section eighteen of the public health law, as alleged in the facts of:

3. The facts in Paragraph A, B, and C.

DATE: May/6, 2016  
Albany, New York



Michael A. Hiser  
Deputy Counsel  
Bureau of Professional Medical Conduct