

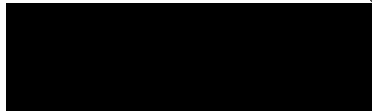
**These charges are only allegations which
may be contested by the licensee in an
Administrative hearing.**

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

IN THE MATTER
OF
ALEXANDER GRINBERG, M.D.

NOTICE
OF
HEARING

TO: ALEXANDER GRINBERG, M.D.



PLEASE TAKE NOTICE:

A hearing will be held pursuant to the provisions of N.Y. Pub. Health Law §230 and N.Y. State Admin. Proc. Act §§301-307 and 401. The hearing will be conducted before a committee on professional conduct of the State Board for Professional Medical Conduct on September 13, at 10:30 a.m., at the Offices of the New York State Department of Health, 259 Monroe Avenue, Rochester, NY 14607, and at such other adjourned dates, times and places as the committee may direct.

At the hearing, evidence will be received concerning the allegations set forth in the Statement of Charges, which is attached. A stenographic record of the hearing will be made and the witnesses at the hearing will be sworn and examined. You shall appear in person at the hearing and may be represented by counsel who shall be an attorney admitted to practice in New York state. You have the right to produce witnesses and evidence on your behalf, to issue or have subpoenas issued on your behalf in order to require the production of witnesses and documents, and you may cross-examine witnesses

and examine evidence produced against you. A summary of the Department of Health Hearing Rules is enclosed.

YOU ARE HEREBY ADVISED THAT THE ATTACHED CHARGES WILL BE MADE PUBLIC FIVE BUSINESS DAYS AFTER THEY ARE SERVED.

Department attorney: Initial here 

The hearing will proceed whether or not you appear at the hearing. Please note that requests for adjournments must be made in writing and by telephone to the New York State Department of Health, Division of Legal Affairs, Bureau of Adjudication, Riverview Center, 150 Broadway - Suite 510, Albany, NY 12204-2719, ATTENTION: HON. JAMES HORAN, DIRECTOR, BUREAU OF ADJUDICATION, (henceforth "Bureau of Adjudication"), (Telephone: (518-402-0748), upon notice to the attorney for the Department of Health whose name appears below, and at least five days prior to the scheduled hearing date. Adjournment requests are not routinely granted as scheduled dates are considered dates certain. Claims of court engagement will require detailed Affidavits of Actual Engagement. Claims of illness will require medical documentation.

Pursuant to the provisions of N.Y. Pub. Health Law §230(10)(c), you shall file a written answer to each of the charges and allegations in the Statement of Charges not less than ten days prior to the date of the hearing. Any charge or allegation not so answered shall be deemed admitted. You may wish to seek the advice of counsel prior to filing such answer. The answer shall be filed with the Bureau of Adjudication, at the address indicated above, and a copy shall be forwarded to the attorney for the Department of Health whose name appears below. Pursuant to §301(5) of the State Administrative Procedure Act, the

Department, upon reasonable notice, will provide at no charge a qualified interpreter of the deaf to interpret the proceedings to, and the testimony of, any deaf person. Pursuant to the terms of N.Y. State Admin. Proc. Act §401 and 10 N.Y.C.R.R. §51.8(b), the Petitioner hereby demands disclosure of the evidence that the Respondent intends to introduce at the hearing, including the names of witnesses, a list of and copies of documentary evidence and a description of physical or other evidence which cannot be photocopied.

At the conclusion of the hearing, the committee shall make findings of fact, conclusions concerning the charges sustained or dismissed, and in the event any of the charges are sustained, a determination of the penalty to be imposed or appropriate action to be taken. Such determination may be reviewed by the Administrative Review Board for Professional Medical Conduct.

THESE PROCEEDINGS MAY RESULT IN A DETERMINATION THAT YOUR LICENSE TO PRACTICE MEDICINE IN NEW YORK STATE BE REVOKED OR SUSPENDED, AND/OR THAT YOU BE FINED OR SUBJECT TO OTHER SANCTIONS SET OUT IN NEW YORK PUBLIC HEALTH LAW §§230-a. YOU ARE URGED TO OBTAIN AN ATTORNEY TO REPRESENT YOU IN THIS MATTER.

DATE Jun 21, 2017

Albany, NY



MICHAEL A. HISER
Deputy Counsel
Bureau of Professional Medical Conduct

Inquiries should be directed to:
Pooja A. Rawal

Senior Attorney
Bureau of Professional Medical Conduct
Corning Tower – Room 2512
Empire State Plaza
Albany, NY 12237
(518) 473-4282

Cc: Jay A. Ziskind, P.A.
Attorney at Law
3471 Main Highway
Suite 517
Miami, Florida, 33133

IN THE MATTER
OF
ALEXANDER GRINBERG, M.D.

STATEMENT
OF
CHARGES

ALEXANDER GRINBERG, M.D., the Respondent, was authorized to practice medicine in New York State on or about October 9, 1997 by the issuance of license number 208618 by the New York State Education Department.

FACTUAL ALLEGATIONS

A. On or about November 15, 2016, the Medical Board of California, Department of Consumer Affairs, State of California ("MBC") issued a Stipulated Settlement and Disciplinary Order ("Order") which revoked the Respondent's license. However, the revocation was stayed and the Respondent was placed on five years' probation. The Order arose from allegations on the Respondent's care of five patients. The Respondent had been charged in the MBC Amended Accusation, dated February 23, 2015, of unprofessional conduct including, gross negligence, repeated acts of negligence, incompetence, and of keeping inadequate records in treatment of five patients.

B. The Respondent was placed on five years' probation. The order required the Respondent to maintain a separate file or ledger for all controlled substances ordered,

prescribed, dispensed, administered, or possessed. Respondent was required to complete Continuing Medical Education in prescribing practices and medical record keeping and required to obtain a practice monitor.

C. Respondent's conduct upon which such findings of misconduct were based would, if committed in New York State, constitute professional misconduct under the laws of New York State pursuant to New York Education Law Section § 6530 (3) [negligence on more than one occasion] and/or (4) [gross negligence] and/or (5) [incompetence on more than one occasion and/or (32) [failing to maintain a record].

D. A review of the Respondent's NYS medical license registration renewal application of 1/19/16 for the registration period of 4/1/16 – 11/30/17 revealed that he answered negatively to the question "Since your last registration application are charges pending against you in any jurisdiction for any sort of professional misconduct?" even though the Accusation was filed and properly served on the Respondent on January 6, 2015. Respondent answered "no" knowing, or having reason to know, and with intent to mislead, that his answer of "no" was false.

SPECIFICATION OF CHARGES

FIRST SPECIFICATION

HAVING HAD DISCIPLINARY ACTION TAKEN

Respondent is charged with committing professional misconduct as defined in N.Y. Educ. Law § 6530(9)(d) by having his or her license to practice medicine revoked,

suspended or having other disciplinary action taken, or having his or her application for a license refused, revoked or suspended or having voluntarily or otherwise surrendered his or her license after a disciplinary action was instituted by a duly authorized professional disciplinary agency of another state, where the conduct resulting in the revocation, suspension or other disciplinary action involving the license or refusal, revocation or suspension of an application for a license or the surrender of the license would, if committed in New York state, constitute professional misconduct under the laws of New York state as alleged in the facts of the following:

1. The facts in Paragraphs A, B, and C.

SECOND SPECIFICATION

FRAUDULENT PRACTICE

Respondent is charged with committing professional misconduct as defined by N.Y. Educ. Law § 6530(2) by practicing the profession of medicine fraudulently as alleged in the facts of the following:

2. The facts in Paragraph D.

DATE: July 28, 2017
Albany, New York


Michael A. Hiser
Deputy Counsel
Bureau of Professional Medical Conduct