

IN THE MATTER
OF
KUMAR SINGH, D.O.

COMMISSIONER'S
ORDER OF
SUMMARY
ACTION

TO: KUMAR SINGH, D.O.

The undersigned, Sally R. Dreslin, M.S., R.N., Executive Deputy Commissioner, pursuant to N.Y. Public Health Law §230, upon the recommendation of a Committee on Professional Medical Conduct of the State Board for Professional Medical Conduct, has determined that the duly authorized professional disciplinary agency of another jurisdiction, the State of Michigan, Department of Licensing and Regulatory Affairs, Bureau of Professional Licensing, Board of Osteopathic Medicine and Surgery Disciplinary Subcommittee (hereinafter "Michigan Board of Osteopathic Medicine"), has made a finding substantially equivalent to a finding that the practice of medicine by KUMAR SINGH, D.O. (the Respondent), New York license number 248687, in that jurisdiction constitutes an imminent danger to the health of its people, as is more fully set forth in the Order of Summary Suspension dated June 23, 2017 and the Administrative Complaint dated June 22, 2017 of the Michigan Board of Osteopathic Medicine, attached hereto as Appendix "A" and made a part hereof.

It is therefore:

ORDERED, pursuant to N.Y. Public Health Law §230(12)(b), that effective immediately, Respondent shall not practice medicine in the State of New York, or practice in any setting under the authority of Respondent's New York license.

Any practice of medicine in violation of this Order shall constitute Professional Misconduct within the meaning of N.Y. Educ. Law §6530(29) and may

constitute unauthorized medical practice, a Felony defined by N.Y. Educ. Law §6512.

This Order shall remain in effect until the final conclusion of a hearing which shall commence within thirty days after the final conclusion of the disciplinary proceeding in the predicate action. The 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 a date and at a location to be set forth in a written Notice of Hearing or Notice of Referral Proceeding to be provided to the Respondent after the final conclusion of the proceeding in the predicate action. Said written Notice may be provided in person, by mail, or by other means. If Respondent wishes to be provided said written notice at an address other than that set forth above, Respondent shall so notify, in writing, both the attorney whose name is set forth in this Order, and the Director of the Office of Professional Medical Conduct, at the addresses set forth below.

Respondent shall notify the Director of the Office of Professional Medical Conduct, New York State Department of Health, Riverview Center, 150 Broadway, Suite 355, Albany, New York 12204-2719 via Certified Mail, Return Receipt Requested, of the final conclusion of the proceeding in the predicate action, immediately upon such conclusion.

THE NEW YORK 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 FORTH IN NEW

YORK PUBLIC HEALTH LAW §230-a. YOU ARE URGED
TO OBTAIN AN ATTORNEY TO REPRESENT YOU IN
THIS MATTER.

DATED: Albany, New York
December 26, 2017



Sally R. Dreslin, M.S., R.N.
Executive Deputy Commissioner
New York State Department of Health

Inquiries should be directed to:

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

Appendix A

STATE OF MICHIGAN
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
BUREAU OF PROFESSIONAL LICENSING
BOARD OF OSTEOPATHIC MEDICINE AND SURGERY
DISCIPLINARY SUBCOMMITTEE

In the Matter of

KUMAR ABHIGYAN SINGH, D.O.
License No. 51-01-017054

Complaint No. 51-16-143278

ORDER OF SUMMARY SUSPENSION

An administrative complaint has been issued against Respondent under the Public Health Code, MCL 333.1101 *et seq.*, promulgated rules, and the Administrative Procedures Act of 1969, MCL 24.201 *et seq.*

After consideration of the documentation filed in this case and consultation with the Chairperson of the Board of Osteopathic Medicine and Surgery, the Department concludes that the public health, safety, or welfare requires emergency action, as allowed by section 16233(5) of the Public Health Code and section 92(2) of the Administrative Procedures Act.

THEREFORE, IT IS ORDERED that Respondent's license to practice as an osteopathic physician in the State of Michigan shall be summarily suspended commencing on the date this order is served.

Under Mich Admin Code, R 792.10702, Respondent has the right to petition for the dissolution of this order of summary suspension. This petition shall clearly state that it is a Petition for Dissolution of Summary Suspension and shall be filed with the Department of Licensing and Regulatory Affairs, Bureau of Professional Licensing, P.O. Box 30670, Lansing, Michigan 48909, with a copy served upon the Department of Attorney General, Licensing & Regulation Division, P.O. Box 30758, Lansing, Michigan, 48909. Questions concerning the Order of Summary Suspension may be directed to (517) 373-1146. Upon receipt of such a petition, an administrative hearing will immediately be scheduled before an administrative law

judge, who shall dissolve the order of summary suspension unless sufficient evidence is produced to support a finding that the public health, safety, or welfare requires emergency action and a continuation of the suspension order.

DEPARTMENT OF LICENSING AND
REGULATORY AFFAIRS

By 

Kim Gaedeke, Director
Bureau of Professional Licensing

Dated: 6-23-17

LF: 2017-0181616-A\Singh, Kumar Abhigyan, D.O., 143278\Pleading - Order Summary Suspension - 2017-06-22

STATE OF MICHIGAN
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
BUREAU OF PROFESSIONAL LICENSING
BOARD OF OSTEOPATHIC MEDICINE AND SURGERY
DISCIPLINARY SUBCOMMITTEE

In the Matter of

KUMAR ABHIGYAN SINGH, D.O.
License No. 51-01-017054

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ADMINISTRATIVE COMPLAINT

Attorney General Bill Schuette, through Assistant Attorney General Erika N. Marzorati, on behalf of the Department of Licensing and Regulatory Affairs, Bureau of Professional Licensing (Complainant), files this complaint against Kumar Abhigyan Singh, D.O. (Respondent), alleging upon information and belief as follows:

1. The Board of Osteopathic Medicine and Surgery, an administrative agency established by the Public Health Code, MCL 333.1101 *et seq.*, is empowered to discipline licensees under the Code through its Disciplinary Subcommittee.
2. Respondent holds a license to practice in Michigan as an osteopathic physician pursuant to Article 15 of the Code and has a current controlled substance license.
3. Section 16221(a) of the Code authorizes the Disciplinary Subcommittee to take disciplinary action against a licensee for a violation of a general duty, consisting of negligence or failure to exercise due care, including negligent delegation to or supervision of employees or other individuals, whether or not injury

results, or any conduct, practice, or condition that impairs, or may impair, the ability to safely and skillfully practice a health profession.

4. Section 16221(b)(iii) of the Code authorizes the Disciplinary Subcommittee to take disciplinary action against a licensee for a mental or physical inability reasonably related to and adversely affecting the licensee's ability to practice in a safe and competent manner.

5. Section 16221(b)(vi) of the Code authorizes the Disciplinary Subcommittee to take disciplinary action against a licensee who exhibits a lack of good moral character. Section 16104(6) of the Code provides that "good moral character" means "the propensity on the part of the person to serve the public in the licensed area in a fair, honest, and open manner," as defined in subsection 1(1) of the Occupational License for Former Offenders Act, MCL 338.41(1).

6. Section 16221(f) of the Code authorizes the Disciplinary Subcommittee to take disciplinary action against a licensee who fails to notify the department of any criminal conviction within 30 days after the date of the conviction, as required under section 16222(3).

7. Section 16226 of the Code authorizes the Disciplinary Subcommittee to impose sanctions against a person licensed by the Board if, after the opportunity for a hearing, the Disciplinary Subcommittee determines the licensee violated one or more subdivisions of section 16221.

FACTUAL ALLEGATIONS

8. At all times relevant to this complaint, Respondent owned, practiced, and served as medical director of the GreenLite Clinic, a medical marihuana certification clinic in Troy, Michigan.

Misdemeanor Conviction

9. On July 16, 2016, Respondent was arrested for negligent discharge of a firearm after he fired two rounds from his AR-15 rifle through his apartment wall and into a neighbor's kitchen.

10. On September 7, 2016, Respondent pled guilty to Disorderly—All Other Conduct in the 44th Judicial District Court in Oakland County, Michigan.

11. Respondent failed to timely notify the department of the conviction.

12. Respondent was fined \$250; ordered to pay costs and fees and complete 40 hours of community service; and placed on probation for 12 months.

13. Respondent's sentencing was delayed under MCL 771.1.

14. A probation violation hearing on the misdemeanor conviction was held on May 26, 2017, at which time Respondent was sentenced to 90 days in jail, with credit for 90 days served.

Felony Charges

15. On September 9, 2016, Respondent sent a series of messages via Facebook to an assistant prosecuting attorney's sister. In the messages, Respondent threatened to kill the attorney, the attorney's sister, and the sister's two children. The threats appeared to stem from Respondent's belief that he was

mistreated by the assistant prosecutor when he testified as a witness in a criminal trial approximately two years earlier.

16. Shortly after 1 a.m. on September 11, 2016, Respondent sent approximately 30 text messages to a criminal defense attorney who had contacted him about possibly testifying as a witness in a criminal case. Respondent had refused to testify, stating he suffered from post-traumatic stress disorder as a result of his previous trial testimony.

17. In his text messages, Respondent threatened to kill the defense attorney, the Oakland County prosecutor, two assistant prosecutors, a judge, bailiffs, two other defense attorneys, and "the next cop or lawyer" he saw.

18. Respondent was arrested later that day and charged with 22 felony counts involving using the Internet or telecommunications to commit a crime, using computers to commit a crime, ethnic intimidation, making a terrorist threat or false report of terrorism, and malicious use of telecommunications services.

19. Respondent was arraigned on the felony charges on June 9, 2017. A pretrial hearing is scheduled for July 11, 2017.

20. Respondent currently remains jailed on \$1 million bond.

COUNT I

21. Respondent's conduct as set forth above evidences a conduct, practice, or condition that impairs, or may impair, the ability to safely and skillfully practice a health profession, in violation of section 16221(a) of the Code.

COUNT II

22. Respondent's conduct as set forth above evidences he suffers from a mental or physical inability reasonably related to and adversely affecting his ability to practice in a safe and competent manner, in violation of section 16221(b)(iii) of the Code.

COUNT III

23. Respondent's conduct as set forth above evidences a lack of good moral character, in violation of section 16221(b)(vi) of the Code.

COUNT IV

24. Respondent's failure to notify the department of his criminal conviction within 30 days after the date of the conviction, as set forth above and as required under section 16222(3), constitutes a violation of section 16221(f) of the Code.

THEREFORE, Complainant requests that this complaint be served upon Respondent and that Respondent be offered an opportunity to show compliance with all lawful requirements for retention of the aforesaid license. If compliance is not shown, Complainant further requests that formal proceedings be commenced pursuant to the Public Health Code, rules promulgated thereunder, and the Administrative Procedures Act of 1969, MCL 24.201 *et seq.*


FURTHER, Complainant requests that pending the hearing and final determination, Respondent's license to practice as an osteopathic physician in the State of Michigan continue to be summarily suspended pursuant to section 92 of the Administrative Procedures Act and section 16233(5) of the Public Health Code for

the reason that, based upon the allegations set forth herein, to permit Respondent to continue to practice the profession constitutes a danger to the public health, safety, and welfare requiring emergency action.

RESPONDENT IS HEREBY NOTIFIED that, pursuant to section 16231(8) of the Public Health Code, Respondent has 30 days from receipt of this complaint to respond in writing to the allegations contained in it. The written response shall be submitted to the Bureau of Professional Licensing, Department of Licensing and Regulatory Affairs, P.O. Box 30670, Lansing, Michigan 48909, with a copy to the undersigned assistant attorney general. Pursuant to section 16231(9), failure to submit a written response within 30 days shall be treated as an admission of the allegations contained herein and result in transmittal of the complaint directly to the Board's Disciplinary Subcommittee for imposition of an appropriate sanction.

Respectfully Submitted,

BILL SCHUETTE
Attorney General


Erika N. Marzorati (P78100)
Assistant Attorney General
Licensing and Regulation Division
P.O. Box 30758
Lansing, Michigan 48909
(517) 373-1146

Dated: June 22, 2017

LF: 2017-0181516-A/Singh, Kumar Abhigyan, D.O., 14327B/Complaint-2017-06-22