



Department of Health

ANDREW M. CUOMO
Governor

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

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

August 2, 2019

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

Gazelle Craig, D.O.
[REDACTED]

FMC Carswell
Federal Medical Center
PO Box 27137
Fort Worth, Texas 76127

Nathaniel White, Esq.
Bureau of Professional Medical Conduct
Corning Tower Building, Room 2512
Empire State Plaza
Albany, New York 12237

RE: In the Matter of Gazelle Craig, D.O.

Dear Parties:

Enclosed please find the Determination and Order (No. 19-197) of the Hearing Committee in the above referenced matter. This Determination and Order shall be deemed effective upon the receipt or seven (7) days after mailing by certified mail as per the provisions of §230, subdivision 10, paragraph (h) of the New York State Public Health Law.

Five days after receipt of this Order, you will be required to deliver to the Board of Professional Medical Conduct your license to practice medicine together with the registration certificate. Delivery shall be by either certified mail or in person to:

Office of Professional Medical Conduct
New York State Department of Health
Office of Professional Medical Conduct
Riverview Center
150 Broadway - Suite 355
Albany, New York 12204

If your license or registration certificate is lost, misplaced or its whereabouts is otherwise unknown, you shall submit an affidavit to that effect. If subsequently you locate the requested items, they must then be delivered to the Office of Professional Medical Conduct in the manner noted above.

As prescribed by the New York State Public Health Law §230, subdivision 10, paragraph (i), (McKinney Supp. 2015) and §230-c subdivisions 1 through 5, (McKinney Supp. 2015), "the determination of a committee on professional medical conduct may be reviewed by the Administrative Review Board for professional medical conduct." Either the licensee or the Department may seek a review of a committee determination.

Request for review of the Committee's determination by the Administrative Review Board stays penalties other than suspension or revocation until final determination by that Board. Summary orders are not stayed by Administrative Review Board reviews.

All notices of review must be served, by certified mail, upon the Administrative Review Board and the adverse party within fourteen (14) days of service and receipt of the enclosed Determination and Order.

The notice of review served on the Administrative Review Board should be forwarded to:

James F. Horan, Esq., Chief Administrative Law Judge
New York State Department of Health
Bureau of Adjudication
Riverview Center
150 Broadway – Suite 510
Albany, New York 12204

The parties shall have 30 days from the notice of appeal in which to file their briefs to the Administrative Review Board. Six copies of all papers must also be sent to the attention of Mr. Horan at the above address and one copy to the other party. The stipulated record in this matter shall consist of the official hearing transcript(s) and all documents in evidence.

Parties will be notified by mail of the Administrative Review Board's Determination and Order.

Sincerely,



James F. Horan
Chief Administrative Law Judge
Bureau of Adjudication

JFH: cmg
Enclosure

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

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IN THE MATTER

OF

GAZELLE CRAIG, D.O.

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DETERMINATION

AND

ORDER

A hearing was held on July 18, 2019, at the offices of the New York State Department of Health (Department), 150 Broadway, Menands, New York. Pursuant to §230(10)(e) of the Public Health Law (PHL), MOHAMMAD-REZA GHAZI-MOGHADAM, M.D., Chairperson, RONALD UVA, M.D., and GAIL S. HOMICK-HERRLING, duly designated members of the State Board for Professional Medical Conduct, served as the Hearing Committee in this matter. JEAN T. CARNEY, ADMINISTRATIVE LAW JUDGE (ALJ), served as the Administrative Officer.

The Department appeared by Associate Counsel Nathaniel White. A Notice of Referral Proceeding and Statement of Charges dated May 20, 2019, were duly served pursuant to PHL §230(10)(d)(i) upon Gazelle Craig, D.O. (Respondent), who failed to appear. The Hearing Committee received and examined documents from the Department (Exhibits 1-6) and a stenographic reporter prepared a transcript of the proceeding. After consideration of the entire record, the Hearing Committee sustains the charge that the Respondent committed professional misconduct, in violation of Education Law

§6530(9)(a)(ii), and that pursuant to PHL §230-a, the penalty of revocation of her license is appropriate.

BACKGROUND

The Department brought the case pursuant to PHL §230(10)(p), which provides for a hearing when a licensee is charged solely with a violation of Education Law §6530(9). The Respondent is charged with professional misconduct pursuant to Education Law §6530(9)(a)(ii), by having been convicted of an act constituting a crime under federal law. Under PHL §230(10), the Department had the burden of proving its case by a preponderance of the evidence. Any licensee found guilty of professional misconduct under the procedures prescribed in PHL §230 "shall be subject to penalties as prescribed in [PHL §230-a] except that the charges may be dismissed in the interest of justice."

FINDINGS OF FACT

The following findings and conclusions are the unanimous determinations of the Hearing Committee:

1. The Respondent was authorized to practice medicine in New York State on March 10, 2009, by the issuance of license number 252279. (Exhibit 3).
2. On or about September 20, 2018, in the United States District Court, Southern District of Texas, the Respondent was convicted of one count of conspiracy to unlawfully distribute and dispense hydrocodone, a Schedule II controlled substance, and

carisoprodol, a Schedule IV controlled substance; and three counts of unlawfully distributing and dispensing hydrocodone and carisoprodol. (Exhibit 4).

3. The Respondent was sentenced to 20 years in prison on count one, and 15 years in prison for the other counts, to run consecutive to the first count, for a total of 35 years in prison. The Respondent was also sentenced to three years post-release supervision with a special condition prohibiting her from prescribing medication and seeking employment or operate a medical clinic and/or any medical facility. In addition, the Respondent was assessed criminal monetary penalties in the amount of \$400 and ordered to forfeit \$55,333. (Exhibits 4 and 6).

VOTE OF THE HEARING COMMITTEE

The Respondent violated New York Education Law §6530(9)(a)(ii) by having been convicted of committing an act constituting a crime under federal law.

VOTE: Sustained (3-0)

HEARING COMMITTEE DETERMINATIONS

The Department met its burden of proving by a preponderance of the evidence that the Respondent committed professional misconduct as alleged in the Statement of Charges. The evidence shows that the Respondent was found guilty of four federal felonies and sentenced to 35 years in prison. This conviction constitutes professional misconduct under the laws of New York State as defined in Educ. Law §6530(9)(a)(ii). The Hearing Committee considered the serious nature of the conviction, the severity of

the Respondent's sentence, and the egregiousness of the Respondent's conduct that placed the public at risk of harm; and agreed with the Department's recommendation that her medical license in New York State be revoked pursuant to PHL §230-a.


ORDER

IT IS HEREBY ORDERED THAT:

1. The specification of professional misconduct as set forth in the Statement of Charges is sustained;
2. The Respondent's license to practice medicine is REVOKED; and
3. This Order shall be effective upon service on the Respondent in accordance with the Requirements of PHL §230(10)(h).

DATED: Albany, New York

7/31/2019


Mohammad-Reza Ghazi-Moghadam, M.D.,
Chairperson

Ronald Uva, M.D.
Gail S. Homick-Herrling

To: Gazelle Craig, D.O.

[REDACTED]
FMC Carswell
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PO Box 27137
Fort Worth, TX 76127

Nathaniel White, Esq.
Associate Counsel
Bureau of Professional Medical Conduct
Corning Tower Building – Room 2512
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APPENDIX I

IN THE MATTER
OF
GAZELLE CRAIG, D.O.

STATEMENT
OF
CHARGES

GAZELLE CRAIG, D.O., the Respondent, was authorized to practice medicine in New York State on or about March 10, 2009, by the issuance of license number 252279 by the New York State Education Department.

FACTUAL ALLEGATIONS

A. On or about March 29, 2018, in the United States District Court, Southern District of Texas, Respondent was found guilty of one count of Conspiracy to Unlawfully Distribute and Dispense Controlled Substances (count 1) in violation of 21 U.S.C. §§ 841(a)(1), (b)(1)(C), and 846, and three counts of Unlawfully Distributing and Dispensing Controlled Substances and Aiding and Abetting (counts 2 - 4) in violation of 21 U.S.C. §§ 841(a)(1), (b)(1)(C), (b)(2), and 18 U.S.C. § 2. On or about September 20, 2018, Respondent was sentenced to a total term of thirty-five (35) years in federal prison with three years of supervised release, a condition that Respondent cannot prescribe medications, or seek employment at, or operate a medical clinic or medical facility, and that Respondent forfeit \$39,515 and \$15,818 in U.S. currency.

SPECIFICATION OF CHARGES

Respondent is charged with committing professional misconduct as defined in N.Y. Educ. Law § 6530(9)(a)(ii) by having been convicted of committing an act constituting a crime under federal law as alleged in the facts of the following:

1. Paragraph A.

DATE: May 20, 2019
Albany, New York


TIMOTHY J. MAHAR
Deputy Counsel
Bureau of Professional Medical Conduct