



New York State Board for Professional Medical Conduct

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

Barbara A. DeBuono, M.D., M.P.H.
Commissioner of Health

Patrick F. Carone, M.D., M.P.H.
Chair
Ansel R. Marks, M.D., J.D.
Executive Secretary

September 26, 1997

CERTIFIED MAIL-RETURN RECEIPT REQUESTED

Mukand Arora, M.D.
83 Homestead Road #3
Houston, TX 77028

RE: License No. 130350

Dear Dr. Arora:

Enclosed please find Order #BPMC 97-228 of the New York State Board for Professional Medical Conduct. This Order and any penalty provided therein goes into effect upon receipt of this letter or seven (7) days after the date of this letter, whichever is earlier.

If the penalty imposed by the Order is a surrender, revocation or suspension of this license, you are required to deliver to the Board the license and registration within five (5) days of receipt of the Order.

Board for Professional Medical Conduct
New York State Department of Health
Hedley Park Place, Suite 303
433 River Street
Troy, New York 12180

Sincerely,

Ansel R. Marks, M.D., J.D.
Executive Secretary
Board for Professional Medical Conduct

Enclosure

cc: Taz A. Thomas, Esq.
Hannan & Thomas, P.C.
6750 West Loop South
Suite 810
Bellaire, TX 77401-4106

Robert Bogan, Esq.

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

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IN THE MATTER : SURRENDER
OF : ORDER
MUKAND L. ARORA, M.D. : BMC # 97-228
:
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MUKAND L. ARORA, M.D., says:

On or about March 25, 1977, I was licensed to practice medicine as a physician in the State of New York having been issued License No.130350 by the New York State Education Department.

My current address is 83 Homestead Road #3, Houston, Texas 77028 and I will advise the Director of the Office of Professional Medical Conduct of any change of my address.

I am not currently registered with the New York State Education Department to practice as a physician in the State of New York.

I understand that I have been charged with two specifications of professional misconduct as set forth in the Statement of Charges, annexed hereto, made a part hereof, and marked as Exhibit "A".

I am applying to the State Board for Professional Medical Conduct for an agreement to allow me to surrender my license as a physician in the State of New York and request that the Board issue this Surrender Order.

I hereby agree not to contest the Allegations and Specifications set forth in the Statement of Charges (Exhibit A).

I further state that I am also agreeing to surrender my license as a physician in the State of New York to avoid the cost of litigating the Allegations and Specifications as I have not practiced as a physician in the state of New York for about twenty (20) years.

I understand that, in the event that this proposed agreement is not granted by the State Board for Professional Medical Conduct, nothing contained herein shall be binding upon me or construed to be an admission of any act of misconduct alleged or charged against me, such proposed agreement shall not be used against me in any way, and shall be kept in strict confidence during the pendency of the professional misconduct disciplinary proceeding; and such denial by the State Board for Professional Medical Conduct shall be made without prejudice to the continuance of any disciplinary proceeding and the final determination by a Committee on Professional Medical Conduct pursuant to the provisions of the Public Health Law.

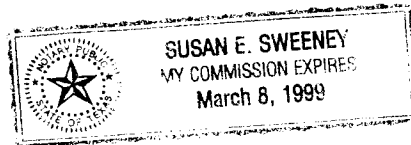
I agree that in the event the State Board for Professional Medical Conduct agrees with my proposal, this Order shall be issued striking my name from the roster of physicians in the State of New York without further notice to me.

I am making this agreement of my own free will and accord and not under duress, compulsion, or restraint of any kind or manner.

MUKAND L. ARORA, M.D.
Respondent

Subscribed before me this
_____ day of _____, 1997

NOTARY PUBLIC



AGREED TO:

Date: _____, 1997

MUKAND L. ARORA M.D.
Respondent

Date: _____, 1977

TAZ A. THOMAS, ESQ.
Attorney for Respondent

ORDER

Upon the proposed agreement of MUKAND L. ARORA, M.D., to Surrender his license as a physician in the State of New York, which proposed agreement is made a part hereof, it is AGREED TO and

ORDERED, that the proposed agreement and the provisions thereof are hereby adopted; it is further

ORDERED, that the name of Respondent be stricken from the roster of physicians in the State of New York; it is further

ORDERED, that this Order shall take effect as of the date of the personal service of this Order upon Respondent, upon receipt by Respondent of this Order via certified mail, or seven days after mailing of this Order via certified mail, whichever is earliest.

DATED: September 26, 1977

Patrick F. Carone, M.D., M.P.H.

PATRICK F. CARONE, M.D., M.P.H.
Chair
State Board for Professional
Medical Conduct

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

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IN THE MATTER : STATEMENT
 OF : OF
 MUKAND L. ARORA : CHARGES

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MUKAND L. ARORA, M.D., the Respondent, was authorized to practice medicine in New York State on March 25, 1977, by the issuance of license number 130350 by the New York State Education Department.

FACTUAL ALLEGATIONS

A. By an Agreed Order dated June 22, 1996, entered into by the Respondent and the Texas State Board of Medical Examiners (hereinafter the "Texas Board"), the Texas Board ordered among other things that Respondent's Texas Medical license was SUSPENDED, however, the suspension was stayed and the Respondent was placed on probation for five (5) years. Respondent was, also, required to surrender his Drug Enforcement Administration (DEA) Controlled Substance Registration Certificate and Texas Department of Public Safety (DPS) Controlled Substances Registration Certificate. Further, the Agreed Order constituted a PUBLIC REPRIMAND.

B. The above described Agreed Order was based on findings of fact that included:

EXHIBIT A



1. On three separate dates in 1991, Respondent prescribed a large quantity of Vicodin, a controlled substance, to an undercover law enforcement officer, who was posing as a patient, without adequate medical indications, without performing an adequate physical examination, and without legitimate medical purpose to support the prescriptions;
2. Respondent intentionally made false entries into the medical records of the aforementioned undercover law enforcement officer for the purpose of covering up the legitimate prescriptions of Vicodin;
3. In January 1992, a Harris County, Texas, grand jury criminally indicted Respondent on three counts of prescribing a controlled substance, Vicodin, without a legitimate purpose in connection with the prescriptions which Respondent had provided to the aforementioned undercover law enforcement officer;
4. In November 1992, a Harris County District Judge received Respondent's plea of guilty to the aforementioned indictment counts and entered an Order of Deferred Adjudication with placed Respondent on two years probation and assessed a \$4,000 fine;
5. In August 1994, a federal administrative law judge, after a hearing and based on the aforementioned prescribing, recommended that Respondent's controlled substance certificate of registration with the United States Drug Enforcement Agency ("DEA") be revoked; and
7. On January 13, 1995, the Deputy Administrator of the DEA entered a final Order revoking Respondent's DEA controlled substance certificate of registration.

C. The above described Agreed Order was based on conclusions of law that included:

1. Respondent has violated Section 3.08(4)(A) of the Medical Practice Act ("the Act"), V.A.C.S., article 4495b, which authorizes the Board to take disciplinary action against Respondent based on Respondent's commission of any act that is in violation of the laws of the State of Texas if the act is connected with Respondent's practice of medicine;

2. Respondent has violated Section 3.08(4)(E) of the Medical Practice Act ("the Act"), V.A.C.S., article 4495b, which authorizes the Board to take disciplinary action against Respondent based on Respondent's prescribing or administering a drug or treatment that is non-therapeutic in nature or nontherapeutic in the manner the drug or treatment is administered or prescribed; and
3. Respondent has violated Section 3.08(4)(F) of the Medical Practice Act ("the Act"), V.A.C.S., article 4495b, which authorizes the Board to take disciplinary action against Respondent based on Respondent's prescribing, administering, or dispensing in a manner not consistent with public health and welfare dangerous drugs as defined by Chapter 483 of the Texas Health and Safety Code, controlled substances scheduled in the Texas Controlled Substances Act (Chapter 481 of the Texas Health and Safety Code), or controlled substances scheduled in the Federal Comprehensive Drug Abuse Prevention and Control Act of 1970, 21 U.S.C.A. Section 801 et seq. (Public Law 91-513).

D. The Findings of Fact and Conclusions of Law described in paragraphs B and C above were made with the consent of the Respondent.

E. The conduct resulting in the Texas Board's disciplinary action against Respondent would constitute misconduct under the laws of New York State, pursuant to the following sections of New York State law:

1. N.Y. Education Law Section 6530(3) (McKinney Supp. 1997) - [practicing the profession with negligence on more than one occasion]; and/or
2. N.Y. Education Law Section 6530(4) (McKinney Supp. 1997) - [practicing the profession with gross negligence on a particular occasion]; and/or
3. N.Y. Education Law Section 6530(32) (McKinney Supp. 1997) - [failing to maintain an accurate record of each patient].

SPECIFICATIONS**FIRST SPECIFICATION**

Respondent is guilty of violating N.Y. Education Law §6530 (9) (b) (McKinney Supp. 1997) by reason of having been found guilty of improper professional practice or professional misconduct by a duly authorized professional disciplinary agency of another state where the conduct upon which the finding was based could, if committed in New York State, constitute professional misconduct under the laws of New York State, in that the Petitioner charges the following:

1. The facts in paragraphs A,B,C,D, and/or E.

SECOND SPECIFICATION

Respondent is guilty of professional misconduct under N.Y. Education Law §6530(9)(d) (McKinney Supp. 1997) by reason of his having had disciplinary action taken against him by a duly authorized professional disciplinary agency of another state, where the conduct resulting in the disciplinary action would, if committed in new York State, constitute professional misconduct under the laws of New York State, in that Petitioner charges:

2. The facts in paragraphs A,B,C,D, and/or E.

DATED: *July 24*, 1997
Albany, New York

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