



STATE OF NEW YORK  
DEPARTMENT OF HEALTH

Corning Tower The Governor Nelson A. Rockefeller Empire State Plaza Albany, New York 12237

Barbara A. DeBuono, M.D., M.P.H.  
*Commissioner*

Karen Schimke  
*Executive Deputy Commissioner*

November 14, 1996

**CERTIFIED MAIL - RETURN RECEIPT REQUESTED**

Karen E. Carlson, Esq.  
NYS Department of Health  
Corning Tower - Room 2438  
Empire State Plaza  
Albany, New York 12237

Caridad Serrano, M.D.  
50-22 40th Street, Apt. #2D  
Sunnyside, New York 11104

EFFECTIVE DATE NOVEMBER 21, 1996

**RE: In the Matter of Caridad Serrano, M.D.**

Dear Dr. Serrano and Ms. Carlson:

Enclosed please find the Determination and Order (No. BPMC-96-266) 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required to deliver to the Board of Professional Medical Conduct your license to practice medicine if said license has been revoked, annulled, suspended or surrendered, together with the registration certificate.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  
Corning Tower - Fourth Floor (Room 438)  
Empire State Plaza  
Albany, New York 12237

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), and §230-c subdivisions 1 through 5, (McKinney Supp. 1992), "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., Administrative Law Judge  
New York State Department of Health  
Bureau of Adjudication  
Hedley Park Place  
433 River Street, Fifth Floor  
Troy, New York 12180

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,

A handwritten signature in black ink that reads "Tyrone T. Butler". The signature is written in a cursive style with a large initial "T" and a long, sweeping underline.

Tyrone T. Butler, Director  
Bureau of Adjudication

TTB:crc  
Enclosure

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

COPY

**IN THE MATTER  
OF  
CARIDAD SERRANO, M.D.**

**DETERMINATION  
AND  
ORDER**

BPMC-96-266

**ARSENIO AGOPOVICH, M.D.** Chairperson, **PAUL M. DeLUCA, M.D.**, and **ANTHONY SANTIAGO**, duly designated members of the State Board for Professional Medical Conduct, appointed by the Commissioner of Health of the State of New York pursuant to Section 230(1) of the Public Health Law, served as the Hearing Committee in this matter pursuant to Sections 230(1)(e) and 230(12) of the Public Health Law. Administrative Law Judge, **CHRISTINE C. TRASKOS, ESQ.**, served as Administrative Officer for the Hearing Committee. The Department of Health appeared by **HENRY M. GREENBERG, GENERAL COUNSEL**, **KAREN CARLSON, ESQ.**, Assistant Counsel, of Counsel. The Respondent did not appear in person and was not represented by counsel. Evidence was received, witnesses sworn and heard, and transcripts of these proceedings were made.

After consideration of the entire record, the Hearing Committee submits this Determination and Order.

**STATEMENT OF CHARGES**

The accompanying Statement of Charges allege six (6) specifications of professional misconduct, including allegations of, practicing the profession fraudulently, filing a false report and moral unfitness to practice medicine. The charges are more specifically set forth in the Statement of Charges, a copy of which is attached hereto and made a part of this Determination and Order.

## SUMMARY OF PROCEEDINGS

Notice of Hearing Date:	July 17, 1996
Pre-Hearing Conference:	NONE
Hearing Date:	August 13, 1996
Deliberation Date:	August 13, 1996
Place of Hearing:	The Justice Building-7th Fl. Empire State Plaza Albany, New York

## WITNESSES

For the Petitioner:	William Cornwell Robert Lapin, M.D.
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## FINDINGS OF FACT

Numbers in parenthesis refer to transcript pages or exhibits, and they denote evidence that the Hearing Committee found persuasive in determining a particular finding. Conflicting evidence, if any, was considered and rejected in favor of the evidence cited.

## GENERAL FINDINGS

1. Respondent was licensed to practice medicine in the State of New York on February 24, 1986 by issuance of registration number 165464 by the New York State Education Department. (Ex. 3)

2. Respondent, on or about January 31, 1992, submitted an application for hospital privileges at Jamaica Hospital, Jamaica New York, in which she falsely represented that she had been board certified in Pediatrics in 1984. (Ex.6 )
3. Robert Lapin, M.D., a medical coordinator with the Office of Professional Medical Conduct interviewed Respondent on June 5, 1995. (T. 43-44) During the interview, Respondent openly admitted that she had borrowed a certificate of the American Board of Pediatrics from a friend. Respondent changed the name on the certificate and submitted it with her job application to Jamaica Hospital in 1992. (T. 46)
4. Respondent worked at Jamaica Hospital from 1992 to 1995 during which time her board certification status remained unquestioned. (T. 36)
5. Respondent, on or about January 9, 1995, submitted an application for hospital privileges at St. Luke's Memorial Hospital , Utica, New York, in which she falsely represented that she was a Diplomate of the American Board of Pediatrics. (Ex. 5)
6. St. Luke's Memorial Hospital contacted the American Board of Pediatrics with respect to Respondent's application. (T 37)
7. The American Board of Pediatrics became involved and Jamaica Hospital was notified that Respondent was not Board Certified. As a result of this disclosure, Respondent tendered her resignation to Jamaica Hospital. (T. 36)

## CONCLUSIONS OF LAW

The following conclusions were made pursuant to the Findings of Fact listed above. All conclusions resulted from a unanimous vote of the Hearing Committee unless notes otherwise.

The Hearing Committee concluded that the following Factual Allegations should be sustained. The citations in parenthesis refer to the Findings of Fact which support each Factual Allegation:

Paragraph A:	(5)
Paragraph A.1:	(3, 5)
Paragraph A.2:	(3)
Paragraph B:	(2, 3)
Paragraph B.1:	(3)

The Hearing Committee further concluded that the following Specifications should be sustained. The citations in parenthesis refer to the Factual Allegations which support each specification:

### PRACTICING THE PROFESSION FRAUDULENTLY

First Specification: (Paragraphs A and A.1 and A.2)

Second Specification: (Paragraphs B and B.1)

### FILING A FALSE REPORT

Third Specification: (Paragraphs A and A.2)

Fourth Specification: (Paragraphs B and B.1)

### MORAL UNFITNESS TO PRACTICE MEDICINE

Fifth Specification: (Paragraphs A and A.1 and A.2)

Sixth Specification: (Paragraphs B and B.1)

## DISCUSSION

Respondent is charged with six (6) specifications alleging professional misconduct within the meaning of Education Law Section 6530. The Hearing Committee unanimously concluded, by a preponderance of the evidence, that all six (6) of the specifications of professional misconduct should be sustained. The rationale for the Committee's conclusions regarding each specification of misconduct is set forth below.

The Hearing Committee found the testimony of Robert Lapin, M.D., a medical coordinator from the Office of Professional Medical Conduct (OPMC), to be credible with respect to his interview with Respondent in June 1995. Dr. Lapin explained that the American Academy of Pediatrics had complained to OPMC that Respondent had used a forged certificate regarding her board certification. (T. 45) Respondent openly acknowledged to Dr. Lapin that she had forged her name onto a board certification of a friend. (T. 46) Respondent further acknowledged that she had taken the board examination, but she did not pass. (T.48)

The Hearing Committee found the testimony of William Cornwell, senior investigator with OPMC to be credible with respect to his investigation of this matter. The Hearing Committee notes that inconsistencies exist (T. 31) with respect to personal information, i.e. first and middle names, age and social security numbers as they appear in Respondent's registration (Ex. 3), the St. Luke's Memorial Hospital application (Ex. 5) and the Jamaica Hospital application. (Ex.6) Mr. Cornwell, however, examined Respondent's curriculum vitae in Exhibit 5 against the Jamaica Hospital job application. (Ex. 6)(T. 27-29) A comparison of both documents clearly shows that the applicant did an internship at Brooklyn Hospital from 1981 -1983, worked at Methodist Hospital from 1983-1984, did a fellowship at Christ Hospital from 1984-1986 and completed her pre-medical graduation at the University of Santo Tomas. (T. 28-29) Mr. Cornwell stated that he is convinced that Respondent was the same person who submitted both applications. (T. 32) The Hearing Committee concurs that the experience listed on both documents is for the same person and that that person is the Respondent.



Therefore, the Hearing Committee finds that Respondent has practiced the profession fraudulently in that she was only board eligible, but represented that she was board certified in pediatrics. The Hearing Committee further finds that Respondent's admitted forged board certification and her misrepresentation on both hospital job applications sustain the charge of filing a false report. Finally, the Hearing Committee finds that Respondent's acts of forgery and repeated dishonesty constitute moral unfitness. As a result, the Hearing Committee sustains all six specifications of professional misconduct.

#### **DETERMINATION AS TO PENALTY**

The Hearing Committee, pursuant to the Findings of Fact and Conclusions of Law set forth above, determined by a unanimous vote that Respondent's license to practice medicine in New York State should be revoked. This determination was reached upon due consideration of the full spectrum of penalties available pursuant to statute, including revocation, suspension and/or probation, censure and reprimand, and the imposition of monetary penalties.

Even though there was no evidence of direct patient harm, the Hearing Committee is disturbed by Respondent's repeated misrepresentation of herself as a board certified pediatrician. The forged certificate (Ex.4, ) that served as the instrument of the misrepresentation has been in existence since 1985. The Hearing Committee is troubled by the possibility that parents may have relied upon Respondent's representation of false expertise in making serious health care decisions for their children. The Hearing Committee contends that Respondent's character is seriously questioned as a result of her dishonesty. The Hearing Committee further notes that although Respondent appears to be a well trained physician, there is no re-training for dishonesty. Therefore, under the totality of the circumstances, revocation is the appropriate sanction.

**ORDER**

Based upon the foregoing, **IT IS HEREBY ORDERED THAT:**

1. The First through Sixth Specifications are **SUSTAINED.**
2. Respondent's license to practice medicine in the State of New York is **REVOKED.**
3. This Order shall be effective upon service on the Respondent or the Respondent's attorney by personal service or by certified or registered mail.

**DATED: Albany, New York**

Nov 11, 1996

  
~~ARSENIO AGOPOVICH, M.D.  
(Chair)~~

**PAUL M. DeLUCA, M.D.  
ANTHONY SANTIAGO**

**TO: Karen E. Carlson, Esq.  
NYS Department of Health  
Corning Tower-Room 2438  
Empire State Plaza  
Albany, New York 12237**

**Caridad Serrano, M.D.  
50-22 40th Street, Apt. #2D  
Sunnyside, New York 11104**



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

-----X

IN THE MATTER : NOTICE  
OF : OF  
CARIDAD SERRANO, M.D. : HEARING

-----X

TO: Caridad Serrano, M.D.  
50-22 40th Street, Apt. #2D  
Sunnyside, New York 11104

PLEASE TAKE NOTICE:

A hearing will be held pursuant to the provisions of N.Y. Pub. Health Law §230 (McKinney 1990 and Supp. 1996) and N.Y. State Admin. Proc. Act Sections 301-307 and 401 (McKinney 1984 and Supp. 1996). The hearing will be conducted before a committee on professional conduct of the State Board for Professional Medical Conduct on the 13th day of August, 1996, at 10:00 in the forenoon of that day at the Empire State Plaza, the Justice Building, Court of Claims, 7th Floor, Courtroom #1, Albany, New York 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. 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.

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 Administrative Law Judge's Office, Empire State Plaza, Tower Building, 25th Floor, Albany, New York 12237, (518-473-1385), 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 Section 230 (McKinney 1990 and Supp. 1996), you may file an answer to the Statement of Charges not less than ten days prior to the date of the hearing. If you wish to raise an affirmative defense, however, N.Y. Admin. Code tit. 10, Section 51.5(c) requires that an answer be filed, but allows the filing of such an answer until three days prior to the date of the hearing. Any answer shall be forwarded to the attorney for the Department of Health whose name appears below. Pursuant to Section 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.

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 THE OTHER SANCTIONS SET OUT IN NEW YORK PUBLIC HEALTH LAW SECTION 230-a (McKinney Supp. 1996). YOU ARE URGED TO OBTAIN AN ATTORNEY TO REPRESENT YOU IN THIS MATTER.

DATED: Albany, New York  
*July 17*, 1996

  
PETER D. VAN BUREN  
Deputy Counsel

Inquiries should be directed to:

Karen Eileen Carlson  
Assistant Counsel  
Division of Legal Affairs  
Bureau of Professional  
Medical Conduct  
Corning Tower Building  
Room 2429  
Empire State Plaza  
Albany, New York 12237-0032  
(518) 473-4282

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

-----X

IN THE MATTER : STATEMENT  
OF : OF  
CARIDAD SERRANO, M.D. : CHARGES

-----X

CARIDAD SERRANO, M.D., the Respondent, was authorized to practice medicine in New York State on February 24, 1986 by the issuance of license number 165464 by the New York State Education Department. The Respondent is currently registered with the New York State Education Department to practice medicine for the period January 1, 1995 through August 31, 1997, with a registration address of 50-22 40th Street, #2D, Sunnyside, New York, 11104.

**FACTUAL ALLEGATIONS**

A. Respondent, on or about January 9, 1995, submitted an application for hospital privileges at St. Luke's Memorial Hospital, Utica, New York.

1. Respondent represented that she was a Diplomate of the American Board of Pediatrics by submitting a certificate from the American Board of Pediatrics, when in fact Respondent was not a Diplomate, and Respondent knew such fact.

2. Respondent, in reply to the Application inquiry regarding Board Certification, indicated she was board certified when in fact she was not, and Respondent knew such fact.
- B. Respondent, on or about January 31, 1992, submitted an application for hospital privileges at the Jamaica Hospital in Jamaica, New York.
1. Respondent, in reply to the Application inquiry regarding Board Certification, listed that she had been certified in Pediatrics in 1984, when in fact she was not, and Respondent knew such fact.

## **SPECIFICATION OF CHARGES**

### **FIRST AND SECOND SPECIFICATIONS**

#### **PRACTICING THE PROFESSION FRAUDULENTLY**

Respondent is charged with professional misconduct under N.Y. Educ. Law §6530(2) (McKinney Supp. 1996) by reason of her practicing the profession fraudulently in that Petitioner charges:

1. The facts in Paragraphs A and A.1 and/or A.2.
2. The facts in Paragraphs B and B.1.

THIRD THROUGH FOURTH SPECIFICATIONS

FILING A FALSE REPORT

Respondent is charged with professional misconduct under N.Y. Educ. Law §6530(21) (McKinney Supp. 1996) by reason of her willful filing of a false report in that Petitioner charges:

3. The facts in Paragraphs A and A.2.
4. The facts in Paragraphs B and B.1.

FIFTH THROUGH SIXTH SPECIFICATIONS

MORAL UNFITNESS

Respondent is charged with professional misconduct under N.Y. Educ. Law §6530(20) (McKinney Supp. 1996) by reason of her conduct in the practice of medicine which evidences moral unfitness in that Petitioner charges:

5. The facts in Paragraphs A and A.1 and/or A.2.
6. The facts in Paragraphs B and B.1.



DATED: *July 17*, 1996  
Albany, New York

*Peter D. Van Buren*

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