

# PUBLIC

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

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IN THE MATTER :  
OF : ORDER  
NEELIMA P. SARAF, M.D. : BPMC #93-136

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Upon the Application of NEELIMA P. SARAF, M.D.  
(Respondent) for Consent Order, which Application is made a part  
hereof, it is

ORDERED, that the Application and the provisions thereof  
are hereby adopted and so ORDERED, and 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 by certified mail, whichever is  
earliest.

SO ORDERED,

DATED: 3 September 1993

Charles J. Vacanti  
Charles J. Vacanti, M.D.  
Chairperson  
State Board for Professional  
Medical Conduct



Statement of Charges is annexed hereto, made a part hereof, and marked as "Exhibit A."

4. I hereby admit guilt to the one specification of professional misconduct set forth in the Statement of Charges.

5. I hereby agree to the following penalties:

(a) The suspension of my license to practice medicine in New York State wholly until I successfully complete a residency program, except to the limited extent required to successfully complete the residency program;

(b) At the end of the suspension of my license to practice medicine in New York State, pursuant to Paragraph 5(a), above, my license shall be limited to preclude my practicing obstetrics and gynecology, except

(i) I may practice obstetrics and gynecology upon my successful completion of a residency program in obstetrics and

gynecology; or

(ii) I may provide obstetrical and gynecological care routinely performed in an office setting and not requiring the hospitalization of patients; or

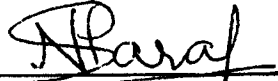
(iii) I may provide obstetrical and gynecological care requiring the hospitalization of patients for procedures and care approved in advance by New York State Department of Health's Office of Professional Medical Conduct [hereafter "OPMC"]. I shall notify OPMC of any applications for obstetrical and gynecological privileges I intend to make to hospitals in New York State and shall secure the prior approval of OPMC for any such applications, which approval shall not be unreasonably withheld.

(c) A two year period of probation, under the Terms of Probation set forth and attached hereto as

"Exhibit B," which period shall begin when I resume the practice of medicine at the end of the suspension of my license and which period shall run only during those times when I am engaged in the practice of medicine in New York State.

6. I hereby make this Application to the Board and request that it be granted.
  
7. I understand that, in the event this Application is not granted by the Board, nothing contained herein shall be binding upon me or construed to be an admission of any act of misconduct charged against me, such Application 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 Board shall be made without prejudice to the continuance of any disciplinary proceeding and the final determination by the Board pursuant to the provisions of the Public Health Law.
  
8. I agree that, in the event the Board grants my Application, as set forth herein, an order of the Chairperson of the Board shall be issued in accordance with same.

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



NEELIMA P. SARAF, M.D.  
RESPONDENT

Sworn to before me this  
9<sup>th</sup> day of August, 1993.



NOTARY PUBLIC  
JANET S. COLE

Notary Public in the State of New York  
MONROE COUNTY  
Commission Expires 6/17/95

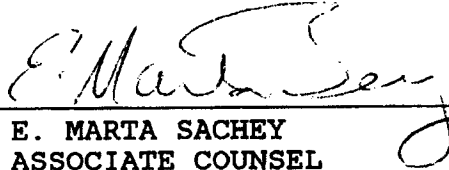
STATE OF NEW YORK : DEPARTMENT OF HEALTH  
STATE BOARD FOR PROFESSIONAL MEDICAL CONDUCT

-----X  
: APPLICATION  
IN THE MATTER :  
OF : FOR  
NEELIMA P. SARAF, M.D. : CONSENT  
: ORDER  
-----X

The undersigned agree to the attached Application of the Respondent and to the proposed penalty based on the terms and conditions thereof.

Date: 8/9/93   
NEELIMA P. SARAF, M.D.  
RESPONDENT

Date: 8/5/93   
MICHAEL PAUL RINGWOOD, ESQ.  
ATTORNEY FOR RESPONDENT

Date: 8/26/93   
E. MARTA SACHEY  
ASSOCIATE COUNSEL  
BUREAU OF PROFESSIONAL  
MEDICAL CONDUCT

Date: 9 September 1993 *Anne Saile*  
for KATHLEEN M. TANNER  
DIRECTOR  
OFFICE OF PROFESSIONAL  
MEDICAL CONDUCT

Date: 3 September 1993 *Charles J. Vacanti*  
CHARLES J. VACANTI, M.D.  
CHAIRPERSON  
STATE BOARD FOR  
PROFESSIONAL MEDICAL CONDUCT



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

-----X  
IN THE MATTER : STATEMENT  
OF : OF  
NEELIMA P. SARAF, M.D. : CHARGES  
-----X

NEELIMA P. SARAF, M.D., the Respondent, was authorized to practice medicine in New York State on March 22, 1988 by the issuance of license number 173981 by the New York State Education Department. Respondent is currently registered with the New York State Education Department to practice medicine for the period January 1, 1993 through December 31, 1994 at 21 Hilltop Drive, Pittsford, New York 14534.

FACTUAL ALLEGATIONS

A. Respondent provided obstetrical care to Patient A (patients are identified in the Appendix) from approximately October 7, 1990 through October 11, 1990 at Newark-Wayne Community Hospital, Driving Park Avenue, Newark, New York 14513 [hereafter "Newark-Wayne Community Hospital"].

1. Respondent failed to diagnosis that Patient A was in dysfunctional labor in a timely manner.

EXHIBIT A

2. Respondent ordered intravenous Pitocin to be administered at too rapid a rate.

B. Respondent provided obstetrical care to Patient B from approximately March 1, 1991 through March 4, 1991 at Newark-Wayne Community Hospital.

1. Respondent failed to adequately assess fetal well-being before initiating an induction of labor.
2. Respondent induced labor, which was not indicated.

C. Respondent provided obstetrical care to Patient C from approximately December 4, 1990 through December 8, 1990 at Newark-Wayne Community Hospital.

1. Respondent induced labor, which was not indicated.

D. Respondent provided obstetrical care to Patient D from approximately August 22, 1990 through August 24, 1990 at Newark-Wayne Community Hospital.

1. Respondent failed to adequately assess fetal viability before performing a cesarean section.
2. Respondent performed a cesarean section, which was not indicated.

E. Respondent provided prenatal care to Patient E on approximately August 9, 1990 at Newark-Wayne Community Hospital

where Patient E presented with complaints of abdominal pain and frequency of urination.

1. Respondent failed to perform or order a cervical examination to rule out early cervical dilation.

SPECIFICATION OF CHARGES

PRACTICING WITH NEGLIGENCE  
ON MORE THAN ONE OCCASION

Respondent is charged with professional misconduct under N.Y. Educ. Law §6530(3) (McKinney Supp. 1993) by reason of her practicing the profession of medicine with negligence on more than one occasion, in that Petitioner charges that Respondent committed two or more of the following:

1. The facts in Paragraphs A and A.1, A and A.2, B and B.1, B and B.2, C and C.1, D and D.1, D and D.2, and/or E and E.1.

DATED: Albany, New York  
*August 1993*



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

EXHIBIT B

TERMS OF PROBATION

NEELIMA P. SARAF, M.D.

1. Respondent during the period of probation shall conduct herself in all ways in a manner befitting her professional status and shall conform fully to the ethical and professional standards imposed by law and her profession.
2. Respondent shall submit written notification to the New York State Department of Health, addressed to the Director, Office of Professional Medical Conduct, New York State Department of Health, Corning Tower Building, 4th Floor, Empire State Plaza, Albany, New York 12237 [hereafter "OPMC"] of any employment and practice, of Respondent's residence and telephone number, and of any change in Respondent's employment, practice, residence or telephone number within or without New York State.
3. Respondent shall submit to OPMC, no later than the first three months of the period of Probation, written proof from the Division of Professional Licensing Services (DPLS), New York State Education Department (NYSED), that Respondent has paid all registration fees due and owing to the NYSED and Respondent shall cooperate with and submit whatever papers are requested by DPLS with regard to said registration fees.
4. Respondent shall submit to OPMC, no later than the first two months of the period of probation, written proof that (a) Respondent is currently registered with the NYSED, unless Respondent submits written proof that Respondent has advised DPLS, NYSED, that Respondent is not engaging in the practice of medicine in New York State and does not desire to register and that (b) Respondent has paid any fines which may have previously been imposed upon Respondent by the Board or the Board of Regents.
5. Respondent shall cooperate with a Medical Coordinator of OPMC or other physician, designated by the Director of OPMC, who may three times during the first year of probation and two times during the second year of probation, review Respondent's practice of medicine. Such reviews may include, without limitation and at the discretion of the Medical Coordinator or other physician, interviews with Respondent, random review of Respondent's patient records, observation of Respondent's treatment of patients or any other reasonable means of reviewing Respondent's practice of medicine.
6. Respondent shall cooperate with the monitoring of her practice of medicine by a practice monitor in the event the Director of OPMC determines, as a result of the reviews of her practice

of medicine provided for in Paragraph 5, above, that further review of Respondent's practice of medicine is warranted. Such practice monitor shall review Respondent's professional performance and practice. The practice monitor:

- a. Shall be a physician licensed to practice medicine in New York State.
  - b. Shall not be a personal friend or relative of Respondent.
  - c. Shall be selected by Respondent, subject to the approval of the Director of OPMC.
  - d. Shall be familiar with the Application for Consent Order and with the Terms of Probation contained herein.
  - e. Shall submit to OPMC monthly written reports regarding the quality of Respondent's practice of medicine and compliance with the Terms of Probation.
  - f. Shall meet with a medical coordinator of OPMC or other physician, designated by the Director of OPMC, and Respondent every three months to review the monitoring of Respondent's practice of medicine.
  - g. Shall immediately report to OPMC any failure of Respondent, at any time, to comply with the Terms of Probation.
  - h. Shall acknowledge his/her willingness to serve as Respondent's practice monitor by executing the acknowledgement provided by OPMC.
7. Respondent shall assume and bear all costs related to compliance with the Terms of Probation.
  8. Respondent, so long as there is full compliance with every term herein, may practice her profession in accordance with the Terms of Probation; provided, however, that upon receipt of evidence of noncompliance with or violation of these terms, the Director of OPMC and/or the Board may initiate a violation of probation proceeding and/or such other proceeding against Respondent as may be authorized by the Public Health Law.