

Public

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

IN THE MATTER

OF

GULNAZ COWDER, M.D.
CO-06-03-1717-A

**COMMISSIONER'S
SUMMARY
ORDER**

TO: GULNAZ COWDER, M.D.
P.O. Box 4341
Bennington, VT 05201

The undersigned, Antonia C. Novello, M.D., M.P.H., Dr.P.H., Commissioner of Health, pursuant to New York 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, State of Vermont, Board of Medical Practice (hereinafter "Vermont Board"), has made a finding substantially equivalent to a finding that the practice of medicine by **GULNAZ COWDER, M.D.** (license number 213754) in that jurisdiction constitutes an imminent danger to the health of its people, as is more fully set forth in the documents of the Vermont Board, attached hereto as Appendix "A" and made a part hereof.

It is, therefore:

ORDERED, pursuant to New York Public Health Law §230(12)(b), that effective immediately, **GULNAZ COWDER, M.D.**, shall not practice medicine in the State of New York.

Any practice of medicine in the State of New York in violation of this (Commissioner's) Order shall constitute Professional Misconduct within the meaning of New York Education Law §6530(29) and may constitute unauthorized medical practice, a Felony defined by New York Education 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 State of Vermont. The hearing will be held pursuant to the provisions of New York Public Health Law §230, and New York State Administrative Procedure 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 Summary Hearing to be provided to the Respondent after the final conclusion of the Vermont proceeding. 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, 433 River Street, Suite 303, Troy, NY 12180-2299 via Certified Mail, Return Receipt Requested, of the final conclusion of the proceeding immediately upon such conclusion.

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
MAY BE FINED OR SUBJECT TO OTHER SANCTIONS
SET FORTH IN NEW YORK PUBLIC HEALTH LAW
SECTION 230-A. YOU ARE URGED TO OBTAIN AN
ATTORNEY FOR THIS MATTER.

DATE: Albany, New York

August 18, 2006



ANTONIA C. NOVELLO, M.D., M.P.H., Dr. P. H.
Commissioner

Inquires should be addressed to:

Robert Bogan
Associate Counsel
Office of Professional Medical Conduct
433 River Street – Suite 303
Troy, New York 12180
(518) 402-0828

**STATE OF VERMONT
BOARD OF MEDICAL PRACTICE**

In re: Gulnaz Cowder, M.D.)

) Docket No. MPN 131-0905, et al.
)

INTRODUCTION

On May 3, 2006, the Vermont Board of Medical Practice (Board), met to consider the State's Motion for Summary Suspension of the license to practice medicine of Gulnaz Cowder, M.D. (Respondent); the State's Opposition to Respondent's Petition for Extension of Cessation of Practice Agreement; and the State's Motion to Seal Records Pursuant to Statutory Authority. Assistant Attorney General James S. Arisman, Esq. appeared on behalf of the State of Vermont. Respondent was represented by Thaddeus R. Lorentz, Esq. Respondent was not present at the hearing. Phillip J. Cykon, Esq. served as Presiding Officer.

FINDINGS OF FACT

1. Respondent holds Vermont Medical License Number 042-0010561, issued by the Board on March 19, 2003. On February 22, 2006, Respondent signed a Cessation of Practice Agreement with the Board. The Agreement was approved and entered as a Board Order on March 1, 2006.
2. Respondent has filed a petition to extend the Cessation of Practice Agreement dated April 26, 2006. The State, for the most part, opposes this petition on the grounds of the facts stated in the affidavit of Philip Ciotti.
3. Based on the Board's investigation of Respondent's practice and conduct, the State has filed the affidavit of Board Investigator Philip J. Ciotti dated April 28, 2006. The affidavit sets forth certain facts offered by the State in support of the Motion for Summary Suspension.
4. Based on Investigator Ciotti's affidavit, the Board finds that there is a reasonable basis to believe that there are serious problems with Respondent's record-keeping, prescribing practices, understanding of professional boundaries, ethical insight, patient care, responsiveness to professional matters, and her state of mind.
5. Based on Investigator Ciotti's affidavit, the Board further finds that there is a reasonable basis to believe that Respondent, at this time, may be unable to practice medicine with reasonable skill and safety.
6. The State has represented that portions of the facts and information submitted to the Board contains or is based on protected peer review material. The Board so finds.

CONCLUSIONS OF LAW


- A. Based upon the above findings, the Board concludes that the public health, safety, and welfare imperatively require emergency action pursuant to 3 V.S.A. § 814(c).
- B. Without the agreement of the State, the Board is without the authority to extend its Order that approved and ordered the Cessation of Practice Agreement. Furthermore, based upon the Ciotti affidavit and the above findings, such an extension is unwarranted.
- C. Portions of the facts and information submitted by the State in this matter are peer review material as defined in 26 V.S.A. § 1441, and pursuant to 26 V.S.A. § 1443(c), may be used by the Board for disciplinary purposes but shall not be subject to public disclosure.

ORDER

Based upon the State's Motions and attachments and exhibits thereto, concerning Respondent's alleged unprofessional conduct, the Board has found and concluded that the public health, safety, and welfare imperatively require emergency action. **SUCH FINDING AND CONCLUSION IS HEREIN INCORPORATED**, and IT IS ORDERED by the Board that:

- 1. The Cessation of Practice Agreement is not extended;
- 2. The State's Motion for Summary Suspension is **GRANTED**. Respondent's license to practice medicine in the State of Vermont is **SUMMARILY SUSPENDED** under the authority of 3 V.S.A. § 814(c) and Board Rule 15.1(d), pending proceedings for revocation or other final action;
- 3. The proceedings for final action shall be promptly instituted by the State, and shall be promptly determined by the Board.
- 4. All material filed in this matter, except this Order, is sealed and shall not be subject to public disclosure until further order of the Board.
- 5. This Order was effective as of May 3, 2006, the date and time of the Board's unanimous decision stated on the record after deliberation.

FOR THE BOARD:


James D. Cahill, M.D.
Chair

5/3/2006
Date