



**Department
of Health**

ANDREW M. CUOMO
Governor

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

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

September 9, 2016

Mohammad Saed Ibrahim, M.D.
[REDACTED]

Mohammad Saed Ibrahim, M.D.
871 McBride Avenue – Suite # 1
Woodland Park, New Jersey 07424

David W. Quist, Esq.
NYS Department of Health
ESP-Corning Tower-Room 2512
Albany, New York 12237

RE: In the Matter of Mohammad Saed Ibrahim, M.D.

Dear Parties:

Enclosed please find the corrected page 2 of the Determination and Order (No. 16-295) of the Hearing Committee which was issued on August 24, 2016. Please replace your page 2 with the attached.

Sincerely,

[REDACTED]
James F. Horan
Chief Administrative Law Judge
Bureau of Adjudication

JFH:cah
Enclosure



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 24, 2016

CERTIFIED MAIL - RETURN RECEIPT REQUEST

Mohammad Saed Ibrahim, M.D.
[REDACTED]

Mohammad Saed Ibrahim, M.D.
871 McBride Avenue – Suite # 1
Woodland Park, New Jersey 07424

David W. Quist, Esq.
NYS Department of Health
ESP-Corning Tower-Room 2512
Albany, New York 12237

RE: In the Matter of Mohammad Saed Ibrahim, M.D.

Dear Parties:

Enclosed please find the Determination and Order (No. 16-295) 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:cah
Enclosure

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

**IN THE MATTER
OF
MOHAMMAD SAED IBRAHIM, M.D.**

**DETERMINATION
AND
ORDER**

BPMC #16-295

COPY

A hearing was held on July 14, 2016, at the offices of the New York State Department of Health ("the Petitioner"). A Commissioner's Order of Summary Action, a Notice of Hearing and a Statement of Charges, all dated April 25, 2016, were served upon the Respondent, Mohammad Saed Ibrahim, M.D.

Pursuant to Section 230(10)(e) of the Public Health Law, Robert A. Catalano, M.D., M.B.A., Chair, Kenneth J. Staier, D.O., and Gail S. Homick Herrling, duly designated members of the State Board for Professional Medical Conduct, served as the Hearing Committee in this matter. David A. Lenihan, Esq., Administrative Law Judge, served as the Administrative Officer. The Petitioner appeared by Richard J. Zahnleuter, Esq., General Counsel, by David W. Quist, Esq., of Counsel. The Respondent, Mohammad Saed Ibrahim, M.D., did not appear, although duly served with process. Evidence was received and transcripts of these proceedings were made.

Evidence was received and a transcript of these proceedings was made. After consideration of the entire record, the Hearing Committee issues this Determination and Order.

PROCEDURAL HISTORY

Date of Service of Notice of Hearing and Statement of Charges:	April 25, 2016
Answer Filed:	None
Hearing Date:	July 14, 2016
Witness for Petitioner:	None
Witnesses for Respondent:	None
Deliberations Date:	July 14, 2016

STATEMENT OF THE CASE

The State Board for Professional Medical Conduct is a duly authorized professional disciplinary agency of the State of New York (§230 *et seq.* of the Public Health Law of the State of New York ["P.H.L."]). This case was brought by the New York State Department of Health, Bureau of Professional Medical Conduct ("Petitioner" or "Department") pursuant to §230 of the P.H.L. Dr. Ibrahim ("Respondent") is charged with four (4) specifications of professional misconduct as set forth in §6530 of the Education Law of the State of New York ("Education Law").

In the instant case, the Respondent is charged with professional misconduct pursuant to Education Law §6530(9)(a)(iii) by having been convicted of committing an act constituting a crime under the law of another jurisdiction which, if committed within this state, would have constituted a crime under New York state law. Respondent is also charged with fraudulent practice under New York Education Law §6530(2).

In addition, the Respondent is charged with professional misconduct pursuant to Education Law § 6530 (9)(b) – by having been found guilty of improper practice or professional misconduct by a duly authorized disciplinary agency of another state where the conduct upon which the finding was based would, if committed in New York state, constitute professional misconduct under the laws of New York state.

Finally, Respondent is charged with committing professional misconduct as defined In N.Y Educ. Law § 6530(9)(d) - by having his license to practice medicine revoked, suspended or having other disciplinary action taken, or having his application for a license refused, revoked or suspended or having voluntarily or otherwise surrendered his license after a disciplinary action was instituted by a duly authorized professional disciplinary agency of another state, where the conduct resulting in the revocation, suspension or other disciplinary action involving the license or refusal, revocation or suspension of an application for a license or the surrender of the license would, if committed In New York state, constitute professional misconduct under the laws of New York state.

Copies of the Commissioner's Order, the Notice of Hearing and the Statement of Charges are attached to this Determination and Order as Appendix 1.

WITNESSES

For the Petitioner: None

For the Respondent: None

FINDINGS OF FACT

The following Findings of Fact were made after a review of the entire record in this matter. Numbers below in parentheses refer to exhibits, denoted by the prefix "Ex." These citations refer to evidence found persuasive by the Hearing Committee in arriving at a particular finding. Conflicting evidence, if any, was considered and rejected in favor of the cited evidence. All Hearing Committee findings were unanimous.

1. Mohammad Saed Ibrahim, M.D., the Respondent, did not appear at the hearing. He was served with process by substituted service. (Petitioner's Ex. 2)
2. Mohammad Saed Ibrahim, M.D., the Respondent, was authorized to practice medicine in New York State on or about June 1, 1999, by the issuance of license number 214137 by the New York State Education Department. (Petitioner's Ex. 3)
3. On or about April 21, 2015, in the Superior Court of New Jersey for Passaic County, Respondent was convicted, pursuant to a guilty plea, of one count of theft by deception, a crime in the third degree (the equivalent of a felony). Respondent was sentenced to probation for a period of one year, was required to perform one hundred hours of community service, and to pay restitution in excess of \$100,000, plus additional fees and other conditions. (Petitioner's Ex. 4)
4. The conviction for theft by deception was for a crime which, had it been committed in New York, would have been a crime pursuant to § 155.30, 155.35, and/or 155.40 of the Penal Law. (T. p. 12)
5. On or about April 22, 2015, Respondent filed a Registration Application with the New York State Department of Education. Respondent answered "no" to the question

"Have you been found guilty after trial, or pleaded guilty, no contest, or *nolo contendere* to a crime (felony or misdemeanor) in any court?" even though he had been convicted in New Jersey pursuant to his guilty plea the day before. (Petitioner's Ex. 5)

6. Respondent, in signing the application indicated above, certified that the statements made in the application were true, complete, and correct. Respondent answered "no" knowing, or having reason to know, and with intent to mislead, that his answer of "no" was false. (Petitioner's Ex. 5)

7. On or about October 30, 2015, the New Jersey State Board of Medical Examiners ("Board") filed a "Consent Order Granting Surrender of License to Be Deemed a Revocation," ("Consent Order") which had been agreed to by Respondent on or about October 23, 2015. The New Jersey disciplinary matter was opened as a result of Respondent's indictment and was concluded after his conviction. The New Jersey Board found that Respondent had engaged in conduct involving moral turpitude and/or relating adversely to the practice of medicine, and failed to demonstrate on-going good moral character. (Petitioner's Ex. 5)

8. The conduct resulting in the New Jersey Board's Consent Order would constitute misconduct under the laws of New York State pursuant to New York Education Law section 6530(20) (Moral unfitness).

VOTE OF THE HEARING COMMITTEE

FIRST SPECIFICATION

CRIMINAL CONVICTION

"Respondent violated New York State Education Law §6530 (9)(a)(iii) by having been convicted of committing an act constituting a crime under the law of another

jurisdiction...."

VOTE: Sustained (3-0)

SECOND SPECIFICATION

FRAUDULENT PRACTICE

"Respondent violated New York State Education Law §6530 (2) by practicing the profession of medicine fraudulently...."

VOTE: Sustained (3-0)

THIRD SPECIFICATION

HAVING BEEN FOUND GUILTY OF PROFESSIONAL MISCONDUCT

"Respondent violated New York Education Law §6530(9) (b) by having been found guilty of improper professional practice or professional misconduct by a duly authorized disciplinary agency of another state where the conduct upon which the finding was based would, if committed in New York state, constitute professional misconduct under the laws of New York state..."

VOTE: Sustained (3-0)

FOURTH SPECIFICATION

HAVING HAD DISCIPLINARY ACTION TAKEN

"Respondent violated New York State Education Law § 6530(9)(d) by having had disciplinary action taken after a disciplinary action was instituted by a duly authorized professional disciplinary agency of another state where the conduct resulting in the

disciplinary action involving the license would, if committed in New York State, constitute professional misconduct under the laws of New York State..."

VOTE: Sustained (3-0)

HEARING COMMITTEE DETERMINATION

The Respondent did not appear at the hearing, either in person or by counsel. The Administrative Officer, after considering the documentary evidence, which included an affidavit of due diligence in attempted service of the Notice of Hearing Proceeding and the Statement of Charges (Petitioner's Exhibit 2), ruled that the Petitioner had met the requirements of law for due diligence in the service of process, that jurisdiction had been established over the Respondent, and that the hearing could proceed on the merits notwithstanding the Respondent's absence.

The record herein shows that the Respondent was found guilty in New Jersey of one count of theft by deception, a crime in the third degree (the equivalent of a felony). Respondent was sentenced to probation for a period of one year, was required to perform one hundred hours of community service, and to pay restitution in excess of \$100,000, plus additional fees and other conditions. It is noted that this crime, had it been committed in New York, would have been a crime pursuant to § 155.30, 155.35, and/or 155.40 of the Penal Law.

The documentary record in this case shows that Respondent filed a Registration Application with the New York State Department of Education. In this application, Respondent answered "no" to the question "Have you been found guilty after trial, or pleaded guilty, no contest, or *nolo contendere* to a crime (felony or misdemeanor) in any

court?" even though he had been convicted in New Jersey pursuant to his guilty plea only the day before. In this application Respondent certified that the statements made in the application were true, complete, and correct. Respondent answered "no" knowing, or having reason to know, and with intent to mislead, that his answer of "no" was false. The panel found that this was clear evidence of fraudulent practice.

Finally, the documentary record shows that the New Jersey State Board of Medical Examiners filed a "Consent Order Granting Surrender of License to Be Deemed A Revocation," which had been agreed to by Respondent on October 23, 2015. This New Jersey disciplinary matter was opened as a result of Respondent's indictment and found that Respondent had engaged in conduct involving moral turpitude. The panel was unanimous in concluding that the conduct resulting in the New Jersey Board's Consent Order would constitute misconduct under the laws of New York State pursuant to New York Education Law section 6530(20), the section on moral unfitness.

It is clear from the documentary record and the evidence submitted at the hearing by the Department that the basis of the New Jersey action was certain conduct that eventually resulted in New Jersey taking disciplinary action against Respondent and that the Respondent's actions would also constitute misconduct under the laws of New York State. Respondent did not appear at the hearing, and the record does not contain any evidence of mitigating circumstances, or remorse.

The Department's attorney, Mr. Quist, stated that, given the nature of the surrender of the Respondent's license in New Jersey, there is no other appropriate outcome in New York State but to revoke the Respondent's license. The panel, unanimously, agreed with the Department on this recommendation. As to the penalty, therefore, the Hearing Committee determined that the people of New York State would be protected by a

revocation of the Respondent's license. Accordingly, the panel decided, unanimously, to revoke the Respondent's license under the circumstances of this case.

ORDER

IT IS HEREBY ORDERED THAT:

1. The specifications of professional misconduct, as set forth in the Statement of Charges, are **SUSTAINED**.
2. The license of the Respondent to practice medicine in New York State is **REVOKED**.
3. This Order shall be effective upon service on the Respondent in accordance with the requirements of Public Health Law Section 230(10)(h).

**DATED: Delmar, New York
August 19, 2016**


Robert A. Catalano, M.D., M.B.A., Chair

**Kenneth J. Steier, D.O.
Gail S. Homick Herrling**

To:

Mohammad Saed Ibrahim, M.D.



Mohammad Saed Ibrahim, M.D.
871 McBride Ave., Suite 1
Woodland Park, NJ 07424

David W. Quist, Esq.
Attorney for Petitioner
Associate Attorney
NYS Department of Health
Bureau of Professional Medical Conduct
Corning Tower, Room 2512
Albany, New York 12237

APPENDIX 1

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

IN THE MATTER
OF
MOHAMMAD SAED IBRAHIM, M.D.

COMMISSIONER'S
ORDER OF
SUMMARY
ACTION

TO: Mohammad Saed Ibrahim, M.D. Mohammed Saed Ibrahim, M.D.
[REDACTED] 871 McBride Ave
Suite 1
Woodland Park, NJ 07424

The undersigned, Howard A. Zucker, M.D., J.D., Commissioner of Health, pursuant to N.Y. 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 Mohammad Saed Ibrahim, M.D., Respondent, New York license number 214137, has pleaded or been found guilty or convicted of committing an act constituting a felony under New York State law, federal law, or the law of another jurisdiction which, if committed within this state, would have constituted a felony under New York State law, as is more fully set forth in the Statement of Charges attached to the Notice of Referral Proceeding or Notice of Hearing and made a part hereof.

It is therefore:

ORDERED, pursuant to N.Y. Public Health Law §230(12)(b), that effective immediately, Respondent shall not practice medicine in the State of New York, or practice in any setting under the authority of Respondent's New York license.

Any practice of medicine in violation of this Order shall constitute Professional Misconduct within the meaning of N.Y. Educ. Law §6530(29) and may constitute unauthorized medical practice, a Felony defined by N.Y. Educ. Law §6512.

This Order shall remain in effect until the final conclusion of a hearing which shall commence within ninety days of the service of this order and shall end within ninety days thereafter. The hearing will be held pursuant to the provisions of N.Y. Pub. Health Law

EXHIBIT

§230, and N.Y. State Admin. Proc. 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 Hearing or Notice of Referral Proceeding provided to the Respondent contemporaneously with this Order.

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 OTHER SANCTIONS SET FORTH IN NEW YORK PUBLIC
HEALTH LAW §230-a. YOU ARE URGED TO OBTAIN AN
ATTORNEY TO REPRESENT YOU IN THIS MATTER.

DATED: Albany, New York
April 25, 2016



Howard A. Zucker, M.D., J.D.
Commissioner of Health
New York State Department of Health

Inquiries should be directed to:

David Quist
Associate Attorney
Bureau of Professional Medical Conduct
Corning Tower – Room 2512
Empire State Plaza
Albany, NY 12237
(518) 473-4282

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

IN THE MATTER
OF
MOHAMMAD SAED IBRAHIM, M.D.

NOTICE
OF
HEARING

TO: Mohammad Saed Ibrahim, M.D.


Mohammad Saed Ibrahim, M.D.
871 McBride Ave
Suite 1
Woodland Park, NJ 07424

PLEASE TAKE NOTICE:

A hearing will be held pursuant to the provisions of N.Y. Pub. Health Law §230 and N.Y. State Admin. Proc. 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 July 14, 2016 at 10:30 a.m., at the Offices of the New York State Department of Health, Riverview Center, 150 Broadway, Suite 510, Menands (Albany), NY 12204 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 who shall be an attorney admitted to practice in New York state. 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.

YOU ARE HEREBY ADVISED THAT THE ATTACHED CHARGES WILL BE MADE PUBLIC FIVE BUSINESS DAYS AFTER THEY ARE SERVED.

Department attorney: Initial here [REDACTED]

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 New York State Department of Health, Division of Legal Affairs, Bureau of Adjudication, Riverview Center, 150 Broadway - Suite 510, Albany, NY 12204-2719, ATTENTION: HON. JAMES HORAN, DIRECTOR, BUREAU OF ADJUDICATION, (henceforth "Bureau of Adjudication"), (Telephone: (518-402-0748), 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 §230(10)(c), you shall file a written answer to each of the charges and allegations in the Statement of Charges not less than ten days prior to the date of the hearing. Any charge or allegation not so answered shall be deemed admitted. You may wish to seek the advice of counsel prior to filing such answer. The answer shall be filed with the Bureau of Adjudication, at the address indicated above, and a copy shall be forwarded to the attorney for the Department of Health whose name appears below. Pursuant to §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. Pursuant to the terms of N.Y. State Admin. Proc. Act §401 and 10 N.Y.C.R.R. §51.8(b), the Petitioner hereby demands disclosure of the evidence that the Respondent intends to introduce at the hearing, including the names of witnesses, a list of and copies of documentary evidence and a description of physical or other evidence which cannot be photocopied.

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 OTHER SANCTIONS
SET OUT IN NEW YORK PUBLIC HEALTH LAW §§230-a.
YOU ARE URGED TO OBTAIN AN ATTORNEY TO
REPRESENT YOU IN THIS MATTER.

DATE: Albany, New York
April 25, 2016


MICHAEL A. HISER
Deputy Counsel
Bureau of Professional Medical Conduct

Inquiries should be directed to:

**David Quist
Associate Attorney
Bureau of Professional Medical Conduct
Corning Tower – Room 2512
Empire State Plaza
Albany, NY 12237
(518) 473-4282**

IN THE MATTER

OF

MOHAMMAD SAED IBRAHIM, M.D.

STATEMENT
OF
CHARGES

MOHAMMAD SAED IBRAHIM, M.D., the Respondent, was authorized to practice medicine in New York State on or about June 1, 1989, by the issuance of license number 214137 by the New York State Education Department.

FACTUAL ALLEGATIONS

- A. On or about April 21, 2015, in the Superior Court of New Jersey for Passaic County, Respondent was convicted, pursuant to a guilty plea, of one count of theft by deception, a crime in the third degree (the equivalent of a felony). Respondent was sentenced to probation for a period of one year, was required to perform one hundred hours of community service, and to pay restitution in excess of \$100,000, plus additional fees and other conditions.
- B. The conviction for theft by deception was for a crime which, had it been committed in New York, would have been a crime pursuant to §§ 155.30, 155.35, and/or 155.40 of the Penal Law.

C. On or about April 22, 2015, Respondent filed a Registration Application with the New York State Department of Education. Respondent answered "no" to the question "Have you been found guilty after trial, or pleaded guilty, no contest, or nolo contendere to a crime (felony or misdemeanor) in any court?" even though he had been convicted in New Jersey pursuant to his guilty plea the day before. Respondent, in signing the application, certified that the statements made in the application were true, complete, and correct. Respondent answered "no" knowing, or having reason to know, and with intent to mislead, that his answer of "no" was false.

D. On or about October 30, 2015, the New Jersey State Board of Medical Examiners ("Board") filed a "Consent Order Granting Surrender of License to Be Deemed A Revocation," ("Consent Order") which had been agreed to by Respondent on or about October 23, 2015. The New Jersey disciplinary matter was opened as a result of Respondent's indictment, was concluded after his conviction as referenced in Paragraph A, and found that Respondent had engaged in conduct involving moral turpitude and/or relating adversely to the practice of medicine, and failed to demonstrate on-going good moral character.

E. The conduct resulting in the Board's Consent Order would constitute misconduct under the laws of New York State pursuant to New York Education Law section 6530(20) (moral unfitness).

SPECIFICATION OF CHARGES

FIRST SPECIFICATION

CRIMINAL CONVICTION (Other Jurisdiction)

Respondent is charged with committing professional misconduct as defined in N.Y. Educ. Law § 6530(9)(a)(iii) by having been convicted of committing an act constituting a crime under the law of another jurisdiction and which, if committed within this state, would have constituted a crime under New York state law (namely N.Y. Penal Law §§ 155.30, 155.35, and/or 155.40) as alleged in the facts of the following:

1. The facts in Paragraphs A and B.

SECOND SPECIFICATION

FRAUDULENT PRACTICE

Respondent is charged with committing professional misconduct as defined by N.Y. Educ. Law § 6530(2) by practicing the profession of medicine fraudulently as alleged in the facts of the following:

2. The facts in Paragraph C.

THIRD SPECIFICATION

HAVING BEEN FOUND GUILTY OF PROFESSIONAL MISCONDUCT

Respondent is charged with committing professional misconduct as defined in N.Y. Educ. Law § 6530(9)(b) by 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 would, if committed in New

York state, constitute professional misconduct under the laws of New York state (namely N.Y. Educ. Law § 6530(20) as alleged in the facts of the following:

3. The facts in Paragraphs D and E.

FOURTH SPECIFICATION
HAVING HAD DISCIPLINARY ACTION TAKEN

Respondent is charged with committing professional misconduct as defined in N.Y. Educ. Law § 6530(9)(d) by having his or her license to practice medicine revoked, suspended or having other disciplinary action taken, or having his or her application for a license refused, revoked or suspended or having voluntarily or otherwise surrendered his or her license after a disciplinary action was instituted by a duly authorized professional disciplinary agency of another state, where the conduct resulting in the revocation, suspension or other disciplinary action involving the license or refusal, revocation or suspension of an application for a license or the surrender of the license would, if committed in New York state, constitute professional misconduct under the laws of New York state (namely N.Y. Educ. Law § 6530(20)) as alleged in the facts of the following:

4. The facts in Paragraphs D and E.

DATE: April 25, 2016
Albany, New York


MICHAEL A. HISER
Deputy Counsel
Bureau of Professional Medical Conduct