

**These charges are only allegations which
may be contested by the licensee in an
Administrative hearing.**

IN THE MATTER
OF
ADNAN AL-ASHKAR, M.D.

STATEMENT
OF
CHARGES

ADNAN AL-ASHKAR M.D., the Respondent, was authorized to practice medicine in New York State on or about March 24, 1978 by the issuance of license number 134085 by the New York State Education Department.

FACTUAL ALLEGATIONS

A. On or about September 3, 2014 in the First Judicial District, District Court, Leavenworth County, Kansas, the Respondent plead no lo contendre to one felony count of Making a False Claim to the Medicaid Program, one felony count of Unlawful Acts Concerning Computers and four felony counts of Obstruction of a Medicaid Fraud Investigation. The Respondent was sentenced on count one to eight months imprisonment and 12 months of post release supervision and 18 months of probation to run consecutive with Count 2. On count two the Respondent was sentenced to 12 months imprisonment, 12 months of post release supervision and 18 months of probation. On counts three through six, the Respondent was sentenced to six months imprisonment and 12 months of post release supervision and 18 months of probation to run concurrently. The Respondent received a suspended sentence on all counts and was required to pay restitution in the amount of \$12,609.59 and pay court costs of \$513.

B. Respondent's crime as described above in Kansas would, if committed in New York State, have constituted a crime under New York State law, specifically N.Y. Penal Law §177.05 (Health Care Fraud in the Fifth degree, a class A misdemeanor).

C. On or about February 3, 2105 the Kansas Board of Healing Arts (hereinafter "KBHA") entered into a Consent Order for Surrender, with the Respondent, which was deemed a revocation. The action by the KBHA was based upon Respondent's felony convictions on or about September 3, 2014 in the 1st Judicial District, Leavenworth County, Kansas.

D. Respondent's conduct as described above, upon which the discipline in Kansas was based would, if committed in New York State, constitute professional misconduct under the laws of the State of New York as follows:

1. New York Education Law §6530(9) (a) (being convicted of an act constituting a crime under New York state law.

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 § 177.05) as alleged in the facts of the following:

1. The facts in Paragraph A and B.

SECOND 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(9)(a) as alleged in the facts of the following:

2. The facts in Paragraph C and D.

DATE: September 28, 2016
Albany, New York



Michael A. Hiser, Esq.
Deputy Counsel
Bureau of Professional Medical Conduct