

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

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

IN THE MATTER
OF
GORDON RASKIN, M.D.

STATEMENT
OF
CHARGES

GORDON RASKIN, M.D., the Respondent, was authorized to practice medicine in New York State on or about October 17, 1983, by the issuance of license number 156242 by the New York State Education Department.

FACTUAL ALLEGATIONS

A. On or about August 19, 2016, the Medical Board of California (hereinafter, "California Board") by a Decision which incorporated a Stipulated Settlement and Disciplinary Order Dated August 5, 2014, revoked Respondent's Physician and Surgeon's license. However, the revocation was stayed and Respondent was placed on five years' probation with terms that Respondent: could not order, prescribe, dispense, administer, furnish, or possess any Schedule II or III controlled substances other than methadone, medical marijuana recommendations, and Suboxone; surrender his DEA license and renew for a new license in accordance to his prescription limitation; and complete courses in prescribing practices and medical record keeping. Respondent is prohibited from performing or treating patients for pain management and acute and chronic pain, his practice will be monitored, and Respondent is only permitted to supervise physician assistants at the Berkeley Treatment Services Center for patients receiving methadone treatment. This disciplinary action was based upon the First Amended Accusation dated July 5, 2016, which was incorporated into the Stipulated Settlement and Disciplinary Order. The First Amended Accusation charged Respondent of acts with gross negligence,

repeated acts of negligence and/or incompetence, excessive prescribing and/or prescribing dangerous drugs without a prior examination, prescribing controlled substances to an addict, and failure to maintain adequate patient records. Specifically, Respondent was charged with (1) failing to perform an initial complete history prior to prescribing opioids for chronic pain, (2) failing to obtain a specialty consultation with an addiction specialist and/or pain management specialist, (3) failing to develop and document a treatment plan, (4) failing to obtain informed consent for opioid use, (5) failing to properly and safely maintain controlled substance prescription pads, (6) prescribed controlled substances to one patient for purposes other than maintenance on, or detoxification from controlled substances, and (7) failing to maintain adequate and/or legible documentation of patient history, physical examinations, and/or the rationale for changes in narcotic medication for two patients.

B. The Conduct resulting in the California Board's disciplinary action against Respondent would constitute misconduct under the laws of New York State pursuant to the following Sections of New York State Law:


1. New York Education Law § 6530(3) (Practicing the profession with negligence on more than one occasion);
2. New York Education Law § 6530(4) (Practicing the profession with gross negligence on a particular occasion); and/or
3. New York Education Law § 6530(32) (Failing to maintain a record for each patient which accurately reflects the evaluation and treatment of the patient, provided).

SPECIFICATION OF CHARGES
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(3),(4), and (32)) as alleged in the facts of the following:

1. The facts in Paragraphs A and B and B.1; Paragraphs A and B and B.2; and/or Paragraphs A and B and B.3.

DATE: September 8, 2017
Albany, New York


MICHAEL A. HISER
Deputy Counsel
Bureau of Professional Medical Conduct