

**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
MALINI B. RAO, M.D.

STATEMENT
OF
CHARGES

MALINI B. RAO, M.D., the Respondent, was authorized to practice medicine in New York State on or about October 5, 2009, by the issuance of license number 255096 by the New York State Education Department.

FACTUAL ALLEGATIONS

A. On or about June 17, 2016, the New Jersey Board of Medical Examiners (hereinafter, "New Jersey Board") filed an Order Granting Partial Summary Decision and Suspending Licensure which: suspended Respondent's license for three years, two years of actual suspension, assessed fines and costs totaling \$50,000, directed Respondent to take and complete continuing medical education in the area of ethics and record keeping, and prior to returning to practice medicine in New Jersey, Respondent must demonstrate a fitness to practice medicine and surgery. These disciplinary actions were based upon findings that Respondent failed to properly place an epidural catheter in one patient, failed to take out the catheter, and failed to properly record her treatment of this patient and then failed to advise anyone of the misplaced catheter for over one month.

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

1. New York Education Law § 6530(3) (Practicing the profession with negligence on more than one occasion); and

2. New York Education Law § 6530(32) (Falling to maintain a record for each patient which accurately reflects the evaluation and treatment of the patient.

SPECIFICATION OF CHARGES

FIRST 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(3) and (32)) as alleged in the facts of the following:

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

SECOND SPECIFICATION

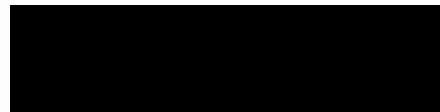
HAVING HAD DISCIPLINARY ACTION TAKEN

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(3) and (32)) as alleged in the facts of the following:

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

DATE: September 8, 2017
Albany, New York



MICHAEL A. HISER
Deputy Counsel
Bureau of Professional Medical Conduct