

**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

KIM PATRICE EUBANKS, M.D.

STATEMENT

OF

CHARGES

KIM PATRICE EUBANKS, M.D., the Respondent, was authorized to practice medicine in New York State on July 25, 2007, by the issuance of license number 245328 by the New York State Education Department.

FACTUAL ALLEGATIONS

A. On or about November 1, 2016, the Alabama Board of Medical Examiners (Board) issued a Consent Order (Order) based on a Joint Stipulation and Consent Order (Stipulation) signed by Respondent on or about October 20, 2016 and acknowledged by the Board's Counsel on or about November 2, 2016. Pursuant to the Stipulation, Respondent acknowledged, without admitting, the Board's allegations that she engaged in conduct involving the excessive prescribing of certain controlled substances, which if proved, could provide the Alabama Board with grounds for disciplinary action. Pursuant to the terms of the Order, Respondent's authority to prescribe certain controlled substances was restricted (although she retained such authority with regard to Schedule IV and V controlled substances), she was required to complete 50 hours of continuing medical education on prescribing controlled substances, made subject to monitoring for a period of one year, and made to pay a fine in the amount of \$7,500.00, and made subject to other conditions.

B. Respondent's conduct as described in the above paragraph "A" upon which the Board discipline was based would, if committed in New York State, constitute

professional misconduct under New York Education Law Section 6530(3) (practicing the profession with negligence on more than one occasion).

**FIRST 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)) as alleged in the facts of the following:

1. The facts of Paragraphs "A" and "B".

DATE: Albany, New York  
April 12, 2018

  
MICHAEL A. HISER, ESQ.  
Deputy Counsel  
Bureau of Professional Medical Conduct