

**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

CYNTHIA PROVOW, M.D.

STATEMENT

OF

CHARGES

Cynthia Provow, M.D., the Respondent, was authorized to practice medicine in New York State on or about November 3, 2010, by the issuance of license number 259347 by the New York State Education Department.

FACTUAL ALLEGATIONS

A. On or about January 26, 2017, the Massachusetts Board of Registration in Medicine (hereinafter "Massachusetts Board"), by a Final Decision and Order, (hereinafter "Massachusetts Order"), inter alia, disciplined Respondent pursuant to Massachusetts General Laws chapter 112, §5, ninth par. (c) and 243 C.M.R. 1.03(5)(a)(3) and (17) and revoked Respondent's inchoate right to renew her license to practice medicine based upon Respondent's refusal to ask for help while a pregnant patient was in danger of serious harm. On or about April 2, 2009, at approximately 12:35 a.m., Respondent performed an unscheduled C-section on the patient who began to bleed heavily after the birth. Respondent incorrectly identified the major source of bleeding as a uterine tear. Respondent failed to properly administer medications to stop the bleeding pursuant to a uterine hemorrhage protocol. Respondent failed to obtain assistance until between 2:00 and 2:15 a.m. A trauma resident arrived at 2:30 a.m. and another physician from Respondent's practice arrived at 2:45 a.m. who repaired a laceration of the uterine artery, which should have been apparent to Respondent.

B. The conduct resulting in the Massachusetts 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(4)(Practicing the profession with gross negligence on a particular occasion); and/or

2. New York Education Law §6530(6)(Practicing the profession with gross incompetence).

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[4] and [6]) as alleged in the facts of the following:

1. The facts in paragraphs A and B and B.1 and/or 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[4] and [6]) as alleged in the facts of the following:

2. The facts in paragraphs A and B and B.1 and/or B and B.2.

DATE: October 23, 2017
Albany, New York


MICHAEL A. HISER
Deputy Counsel
Bureau of Professional Medical Conduct