

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

IN THE MATTER
OF
YASAR AKSOY, M.D.

STATEMENT
OF
CHARGES

YASAR AKSOY, M.D., the Respondent, was authorized to practice medicine in New York State on or about October 15, 1984, by the issuance of license number 160532 by the New York State Education Department.

FACTUAL ALLEGATIONS

- A. On or about May 30, 2017, Respondent entered into a Consent Agreement with the West Virginia Board of Medicine in which he surrendered his West Virginia medical license and waived his right to, among other things, contest in a formal hearing charges which included the following, which Respondent stipulated to in the Consent Agreement: (1) prescribing controlled substances contrary to accepted medical standards in violation of W. Va. Code § 30-3-14 (c) (13); (2) failing to practice medicine with the level care, skill and treatment recognized by a reasonable, prudent physician in violation of W. Va. Code 30-3-14 (c) (17) and W. Va. Code R. § 11-1A-12.1.x; (3) failing to maintain written medical records to justify a course of treatment in violation of W. Va. Code § 30-3-14(c) (11) and W. Va. Code R. § 11-1A-12.1.u and jj; (4) engaging in conduct of a character likely to deceive, defraud or harm the public or which is dishonorable, unethical or unprofessional in violation of W. Va. Code § 30-3-14(c) (17) and W. Va. Code R. § 11-1A-12.1.e; and (5) prescribing on one or more occasions controlled substances after May 15, 2017 in violation of a Temporary Restraining Order issued by the

Raleigh County, West Virginia Circuit Court on that date which, among other things, ordered Respondent to cease issuing prescriptions for opioid drug products or other Schedule II or III Controlled substances whose purpose is to alleviate pain, in violation of W. Va. Code § 30-3-14 (c) (17) and W. Va. Code R. § 11-1A-12.1.bb. On or about May 31, 2017, the same day Respondent consented to surrender his West Virginia medical license, the West Virginia Board of Medicine determined that Respondent's continued practice of medicine following his violation of the Restraining Order constituted an immediate danger to the public

B. The consent Order was accepted and adopted by the West Virginia Board of Medicine on or about June 9, 2017 and upon entry of the order, Respondent's West Virginia Medical license was permanently surrendered, among other things.

C. The conduct resulting in the West Virginia Consent Order would constitute misconduct under the laws of New York state, pursuant to the following sections of New York law:

- 1) New York Education Law § 6530(2) [practicing the profession fraudulently or beyond its authorized scope], and/or
- 2) New York Education Law § 6530 (3) [practicing the profession with negligence on one or more occasions], and/or
- 3) New York Education Law § 6530 (4) [practicing the profession with gross negligence on a particular occasion], and/or
- 4) New York Education Law § 6530 (16) [a willful or grossly negligent failure to comply with substantial provisions of state or local laws governing the practice of medicine], and/or
- 5) New York Education Law § 6530 (32) [failing to maintain a record for each patient which accurately reflects the evaluation and treatment of the patient].

SPECIFICATION OF CHARGES

First Specification

Disciplinary Action in another State

Respondent is charged with committing professional misconduct as defined in New York Education Law § 6530 (9) (d) by reason of his license to practice having been revoked, suspended or having other disciplinary action taken after 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 would, if committed in New York State, constitute a professional misconduct under the laws of New York State, as alleged in the facts following:

1. The facts in paragraphs A, B and C.

DATE: October 16, 2017
Albany, New York



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