

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

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

IN THE MATTER  
OF  
ADAM J. NADELSON, M.D.

NOTICE OF  
REFERRAL  
PROCEEDING

TO: Adam Nadelson, M.D.  


PLEASE TAKE NOTICE THAT:

An adjudicatory proceeding will be held pursuant to the provisions of N.Y. Pub. Health Law §230(10)(p) and N.Y. State Admin. Proc. Act §§301-307 and 401. The proceeding will be conducted before a committee on professional conduct of the State Board for Professional Medical Conduct (Committee) on January 18, 2018, at 10:30 a.m., at the offices of the New York State Department of Health, Riverview Center, 150 Broadway, Suite 510, Menands (Albany), NY 12204-2719.<sup>1</sup>

At the proceeding, evidence will be received concerning the allegations set forth in the Statement of Charges, which is attached. A stenographic record of the proceeding will be made and the witnesses at the proceeding will be sworn and examined.

You may appear in person at the proceeding and may be represented by counsel who shall be an attorney admitted to practice in New York state. You may produce evidence or sworn testimony on your behalf. Such evidence or sworn testimony shall be strictly limited to evidence and testimony relating to the nature and severity of the penalty to be imposed upon the licensee. Where the charges are based on the conviction of state law crimes in other jurisdictions, evidence may be offered which would show that the conviction would not be a crime in New York State. The Committee also may limit the number of witnesses whose testimony will be received, as well as the length of time any witness will be permitted to testify.

If you intend to present sworn testimony, the number of witnesses and an estimate of the time necessary for their direct examination must be submitted to the New York State

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<sup>1</sup> For GPS purposes, enter "Menands", not "Albany".

Department of Health, Division of Legal Affairs, Bureau of Adjudication, Riverview Center, 150 Broadway - Suite 510, Albany, NY 12204-2719, ATTENTION: HON. JAMES HORAN, DIRECTOR, BUREAU OF ADJUDICATION (Telephone: (518-402-0748), (henceforth "Bureau of Adjudication") as well as the Department of Health attorney indicated below, no later than twenty days prior to the scheduled date of the Referral Proceeding, as indicated above. Should the parties have objection to proposed witnesses or documentary evidence, the party raising the objection shall contact the Bureau of Adjudication to arrange for a pre-hearing conference with the Administrative Law Judge, prior to the hearing date.

Pursuant to the provisions of N.Y. Pub. Health Law §230(10)(p), you shall file a written answer to each of the charges and allegations in the Statement of Charges not later than ten days prior to the date of the hearing. Any charge or allegation not so answered shall be deemed admitted. You may wish to seek the advice of counsel prior to filing such answer. The answer shall be filed with the Bureau of Adjudication, at the address indicated above, and a copy shall be forwarded to the attorney for the Department of Health whose name appears below. You may file a written brief and affidavits with the Committee. Six copies of all papers you submit must be filed with the Bureau of Adjudication at the address indicated above, no later than fourteen days prior to the scheduled date of the Referral Proceeding, and a copy of all papers must be served on the same date on the Department of Health attorney indicated below.

Pursuant to §301(5) of the State Administrative Procedure Act, the Department, upon reasonable notice, will provide at no charge a qualified interpreter of the deaf to interpret the proceedings to, and the testimony of, any deaf person. Pursuant to the terms of N.Y. State Admin. Proc. Act §401 and 10 N.Y.C.R.R. §51.8(b), the Petitioner hereby demands disclosure of the evidence that the Respondent intends to introduce at the hearing, including the names of witnesses, a list of and copies of documentary evidence and a description of physical or other evidence which cannot be photocopied.

YOU ARE HEREBY ADVISED THAT THE ATTACHED CHARGES WILL BE MADE PUBLIC FIVE BUSINESS DAYS AFTER THEY ARE SERVED.

Department attorney: Initial here 

The proceeding may be held whether or not you appear. Please note that requests for adjournments must be made in writing to the Bureau of Adjudication, at the address indicated above, with a copy of the request to the attorney for the Department of Health, whose name

appears below, at least five days prior to the scheduled date of the proceeding. Adjournment requests are not routinely granted. Claims of court engagement will require detailed affidavits of actual engagement. Claims of illness will require medical documentation. Failure to obtain an attorney within a reasonable period of time prior to the proceeding will not be grounds for an adjournment.

The Committee will make a written report of its findings, conclusions as to guilt, and a determination. Such determination may be reviewed by the administrative review board for professional medical conduct.

THESE PROCEEDINGS MAY RESULT IN A  
DETERMINATION THAT YOUR LICENSE TO PRACTICE  
MEDICINE IN NEW YORK STATE BE REVOKED OR  
SUSPENDED, AND/OR THAT YOU BE FINED OR  
SUBJECT TO OTHER SANCTIONS SET OUT IN NEW  
YORK PUBLIC HEALTH LAW §§230-a. YOU ARE URGED  
TO OBTAIN AN ATTORNEY TO REPRESENT YOU IN  
THIS MATTER.

DATED: Albany, New York  
November 14, 2017



MICHAEL A. HISER  
Deputy Counsel  
Bureau of Professional Medical Conduct

Inquiries should be addressed to:

Timothy J. Mahar  
Associate Counsel  
Bureau of Professional Medical Conduct  
Corning Tower – Room 2512  
Empire State Plaza  
Albany, NY 12237  
(518) 473-4282

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

IN THE MATTER  
OF  
ADAM J. NADELSON, M.D.

STATEMENT  
OF  
CHARGES

ADAM J. NADELSON, M.D., the Respondent, was authorized to practice medicine in New York State on or about April 15, 2012, by the issuance of license number 264938 by the New York State Education Department.

**FACTUAL ALLEGATIONS**

- A. On or about May 16, 2017, Respondent entered into a Consent Agreement with the Illinois Department of Financial and Professional Regulation (Illinois Department of Professional Regulation) in which he agreed to the following discipline, among other disciplinary terms, against his Illinois medical license: 1.) a reprimand of Respondent's Illinois medical license; 2.) Respondent's successful completion of the Ethics and Boundaries Assessment Services, LLC's Ethics and Boundaries Examination within six months of the approval of the Illinois order; and 3.) the payment of a \$10,000 fine.
- B. The conduct for which Respondent was disciplined by the Illinois Department of Professional Regulation was Respondent's unauthorized use of the signature stamp of the director of a plastic surgery fellowship program at Rush University Medical Center in Chicago, Illinois, on a form intended to verify Respondent's training within the fellowship program. The training verification form with the unauthorized signature was submitted to facilitate Respondent's training opportunities at other institutions. The Consent Agreement provides that

Respondent's conduct, if proven at hearing, would constitute a violation of 225 Illinois Compiled Statutes § 60/22 (A) (5) and (31) which provide that an Illinois medical license may be disciplined for engaging in dishonorable, unethical or unprofessional conduct of a character likely to deceive, defraud or harm the public [(A) (5)]; and for using any false, fraudulent or deceptive statement in any document connected with the practice of medicine [(A) (31)].

- C. The consent Order, with the discipline stated above, was accepted by the Illinois Medical Disciplinary Board on or about June 7, 2017 and was approved in full by the Illinois Department of Professional Regulation on or about June 22, 2017.
- D. The conduct resulting in the Illinois 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 (21) [willfully making or filing a false report].

### 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, C and D.

DATE: November 14, 2017  
Albany, New York



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