

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

IN THE MATTER
OF
BESOSIE GANAL, M.D.

STATEMENT
OF
CHARGES

BESOSIE GANAL, M.D., the Respondent, was authorized to practice medicine in New York State on or about October 25, 1974 by the issuance of license number 122284 by the New York State Education Department.

FACTUAL ALLEGATIONS

A. On or about February 2, 2017, the Medical Board of California ("CMB") issued an Order against the Respondent. The CMB found the Respondent acted with gross negligence, committed repeated negligent acts, and failed to maintain adequate and accurate records. The CMB revoked the Respondent's license, but immediately stayed the revocation and placed the Respondent on probation for 5 years. The Respondent was ordered to complete a professional program (ethics), clinical training program, medical record keeping course, and during his probation is prohibited from supervising physician assistants. The Order was based on the care and treatment of one patient and the Respondent's failure to provide a covering physician while on vacation.

B. The conduct resulting in the CMB's disciplinary action against the 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 of medicine with negligence on more than one occasion); and/or
2. New York Education Law § 6530(4) (Practicing the profession of medicine with gross negligence on a particular occasion); and/or
3. 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

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 as alleged in the facts of the following:

1. The facts in Paragraphs A, B, and B1, B2, and/or B3.

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 as alleged in the facts of the following:

1. The facts in Paragraphs A, B, and B1, B2, and/or B3.

DATE: December 6, 2017
Albany, New York


MICHAEL A. HISER
Deputy Counsel
Bureau of Professional Medical Conduct