

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

BPMC No. 18-096

IN THE MATTER  
OF  
ELDAR KADYMOFF, D.O.

COMMISSIONER'S  
ORDER OF  
SUMMARY  
ACTION

TO:

Eldar Kadymoff, D.O.  
[REDACTED]

Eldar Kadymoff, D.O.  
4766-B Bedford Avenue, 1<sup>st</sup> Floor  
Brooklyn, NY 11235

Eldar Kadymoff, D.O.  
[REDACTED]

The undersigned, Sally R. Dreslin, M.S., R.N., Executive Deputy Commissioner, pursuant to N.Y. Public Health Law §230, upon the recommendation of a Committee on Professional Medical Conduct of the State Board for Professional Medical Conduct, has determined that **ELDAR KADYMOFF, D.O.** (henceforth "Respondent"), New York license number 228086, has pleaded or been found guilty or convicted of committing an act constituting a felony under New York State law, federal law, or the law of another jurisdiction which, if committed within this state, would have constituted a felony under New York State law, as is more fully set forth in the Statement of Charges attached to the Notice of Referral Proceeding or Notice of Hearing and made a part hereof.

It is therefore:


ORDERED, pursuant to N.Y. Public Health Law §230(12)(b), that effective immediately, Respondent shall not practice medicine in the State of New York, or practice in any setting under the authority of Respondent's New York license.

Any practice of medicine in violation of this Order shall constitute Professional Misconduct within the meaning of N.Y. Educ. Law §6530(29) and may constitute unauthorized medical practice, a Felony defined by N.Y. Educ. Law §6512.

This Order shall remain in effect until the final conclusion of a hearing which shall commence within ninety days of the service of this order and shall end within ninety days thereafter. The hearing will be held pursuant to the provisions of N.Y. Pub. Health Law §230, and N.Y. State Admin. Proc. Act §§301-307 and 401. The hearing will be conducted before a committee on professional conduct of the State Board for Professional Medical Conduct on a date and at a location to be set forth in a written Notice of Hearing or Notice of Referral Proceeding provided to the Respondent contemporaneously with this Order.

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 FORTH 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  
April 23, 2018



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Sally R. Dreslin, M.S., R.N.  
Executive Deputy Commissioner  
New York State Department of Health

Inquiries should be directed to:

David W. Quist  
Associate Attorney  
N.Y.S. Department of Health  
Division of Legal Affairs  
Bureau of Professional Medical Conduct  
Corning Tower, Room 2512  
Empire State Plaza  
Albany, NY 12237  
Phone 518-473-4282, Fax 518-473-2430

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

IN THE MATTER  
OF  
ELDAR KADYMOFF, M.D.

NOTICE  
OF  
HEARING

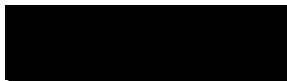
TO:

Eldar Kadymoff, D.O.



Eldar Kadymoff, D.O.  
4766-B Bedford Avenue, 1<sup>st</sup> Floor  
Brooklyn, NY 11235

Eldar Kadymoff, D.O.



PLEASE TAKE NOTICE:

A hearing will be held pursuant to the provisions of N.Y. Pub. Health Law §230 and N.Y. State Admin. Proc. Act §§301-307 and 401. The hearing will be conducted before a committee on professional conduct of the State Board for Professional Medical Conduct on June 13, 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> and at such other adjourned dates, times and places as the committee may direct.

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

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

person at the hearing and may be represented by counsel who shall be an attorney admitted to practice in New York state. You have the right to produce witnesses and evidence on your behalf, to issue or have subpoenas issued on your behalf in order to require the production of witnesses and documents, and you may cross-examine witnesses and examine evidence produced against you. A summary of the Department of Health Hearing Rules is enclosed.

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

Department attorney: Initial here   


The hearing will proceed whether or not you appear at the hearing. Please note that requests for adjournments must be made in writing and by telephone to the New York State 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, (henceforth "Bureau of Adjudication"), (Telephone: (518-402-0748), upon notice to the attorney for the Department of Health whose name appears below, and at least five days prior to the scheduled hearing date. Adjournment requests are not routinely granted as scheduled dates are considered dates certain. Claims of court engagement will require detailed Affidavits of Actual Engagement. Claims of illness will require medical documentation.

Pursuant to the provisions of N.Y. Pub. Health Law §230(10)(c), you shall file a written answer to each of the charges and allegations in the Statement of Charges not less 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. 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.

At the conclusion of the hearing, the committee shall make findings of fact, conclusions concerning the charges sustained or dismissed, and in the event any of the charges are sustained, a determination of the penalty to be imposed or appropriate action to be taken. 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  
April 23, 2018



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

Inquiries should be directed to:  
David W. Quist  
Associate Attorney  
Bureau of Professional Medical Conduct  
Corning Tower – Room 2512  
Empire State Plaza  
Albany, NY 12237  
(518) 473-4282

IN THE MATTER  
OF  
ELDAR KADYMOFF, D.O.

STATEMENT  
OF  
CHARGES

ELDAR KADYMOFF, D.O., the Respondent, was authorized to practice medicine in New York State on or about April 23, 2003, by the issuance of license number 228086 by the New York State Education Department.

**FACTUAL ALLEGATIONS**

- A. On or about June 29, 2017, Respondent was convicted and sentenced in the United States District Court for the Eastern District of New York, resulting from a guilty plea, to one count of conspiracy to make false statements relating to health care matters, a felony, in violation of 18 USC section 371.
- B. Respondent was sentenced to two years' probation, subject to terms, six months' home confinement, 500 hours of community service, payment of a \$100 assessment, and restitution/forfeiture in the amount of approximately \$443,204, the latter pursuant to an Order of Forfeiture dated on or about June 29, 2017.
- C. The charges against Respondent were initially filed pursuant to an Indictment, which was filed with and unsealed by the United States District Court for the Eastern

District of New York on or about February 14, 2011, and a Superseding Information filed with said court on or about October 19, 2015.

D. On or about January 18, 2013, Respondent filed a Registration Renewal Application with the New York State Department of Education. Respondent answered "no" to the question "Since your last registration application, are criminal charges pending against you in any court?" even though an unsealed indictment had been filed on or about February 14, 2011 and criminal charges were, in fact, pending. Respondent answered "no" knowing, or having reason to know, and with intent to mislead, that his answer of "no" was false.

E. On or about November 18, 2016, Respondent filed a Registration Renewal Application with the New York State Department of Education. Respondent answered "no" to the question "Since your last registration application, are criminal charges pending against you in any court?" even though a Superseding Information had been filed on or about October 19, 2015 and criminal charges were, in fact, pending. Respondent answered "no" knowing, or having reason to know, and with intent to mislead, that his answer of "no" was false.

#### **SPECIFICATION OF CHARGES**

##### **FIRST SPECIFICATION** **CRIMINAL CONVICTION (Federal)**

Respondent is charged with committing professional misconduct as defined in N.Y. Educ. Law § 6530(9)(a)(ii) by having been convicted of committing an act constituting a crime under federal law as alleged in the facts of the following:



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

**SECOND and THIRD SPECIFICATION**  
**FRAUDULENT PRACTICE**

Respondent is charged with committing professional misconduct as defined by N.Y. Educ. Law § 6530(2) by practicing the profession of medicine fraudulently as alleged in the facts of the following:

2. The facts in Paragraphs A through D.
3. The facts in Paragraphs A through C, and E.

DATE: April 27, 2018  
Albany, New York



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