

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

BPMC No. 18-098

IN THE MATTER
OF
SAPNA BHATIA, M.D.

COMMISSIONER'S
ORDER OF
SUMMARY
ACTION

TO: SAPNA BHATIA, M.D.

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 the duly authorized professional disciplinary agency of another jurisdiction, the State of Colorado, has made a finding substantially equivalent to a finding that the practice of medicine by **SAPNA BHATIA, M.D.** (the Respondent), New York license number 254676, in that jurisdiction constitutes an imminent danger to the health of its people, as is more fully set forth in the Order of Suspension, (henceforth: "predicate action") dated October 20, 2017, attached hereto as Appendix "A" 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 thirty days after the final conclusion of the disciplinary proceeding in the predicate action. 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 to be provided to the Respondent after the final conclusion of the proceeding in the predicate action. Said written Notice may be provided in person, by mail, or by other means. If Respondent wishes to be provided said written notice at an address other than that set forth above, Respondent shall so notify, in writing, both the attorney whose name is set forth in this Order, and the Director of the Office of Professional Medical Conduct, at the addresses set forth below.

Respondent shall notify the Director of the Office of Professional Medical Conduct, New York State Department of Health, Riverview Center, 150 Broadway, Suite 355, Albany, New York 12204-2719 via Certified Mail, Return Receipt Requested, of the final conclusion of the proceeding in the predicate action, immediately upon such conclusion.

THE NEW YORK 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



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

Inquiries should be directed to:

Ian H. Silverman
Associate Counsel
Bureau of Professional Medical Conduct
Corning Tower – Room 2512
Empire State Plaza
Albany, New York 12237
(518) 473-4282

APPENDIX "A"

BEFORE THE COLORADO MEDICAL BOARD
STATE OF COLORADO
CASE NO: 2017-985-B

ORDER OF SUSPENSION PURSUANT TO SECTION 24-4-104(4), C.R.S.

IN THE MATTER OF THE LICENSE TO PRACTICE MEDICINE AS A
PHYSICIAN IN THE STATE OF COLORADO OF SAPNA N. BHATIA, M.D.,
LICENSE NO. DR-44210.

Respondent.

TO: Sapna N. Bhatia, M.D.

Inquiry Panel B ("Panel") of the Colorado Medical Board (the "Colorado Board"), having reviewed this matter during its meeting of the Panel on October 19, 2017, hereby finds as follows:

1. Respondent was licensed to practice medicine in the state of Colorado on May 1, 2015, and was issued license number DR-44210, which Respondent has held continuously since that date.

2. On February 28, 2017, the Panel reviewed materials relating to case number 2017-985-B and found that based upon the information reviewed, the Panel had reasonable grounds to believe that the public health, safety, or welfare imperatively requires emergency action and/or that Respondent was guilty of a deliberate and willful violation of the Medical Practice Act. The Panel reviewed information Respondent has a physical or mental illness or condition that renders her unsafe to practice medicine with reasonable skill and safety to patients and that Respondent provided a positive drug screen for an illegal drug. The Panel also reviewed information that Respondent may have discussed prescribing controlled substances to an individual with whom she did not have a physician/patient relationship. The Panel found grounds to summarily suspend Respondent's license, which occurred effective March 3, 2017.

3. The Panel and Respondent subsequently entered into an Interim Cessation of Practice Agreement ("ICPA"), in which Respondent voluntarily agreed to cease practice until the conclusion of the Panel's case. The ICPA went into effect on April 27, 2017.

4. On October 19, 2017, the Panel again reviewed materials relating to case number 2017-985-B and found that based upon the information reviewed, the Panel had reasonable grounds to believe that the public health, safety, or welfare imperatively requires emergency action and/or that Respondent was guilty of a deliberate and willful violation of the Medical Practice Act. The Panel reviewed information that Respondent was arrested on or about October 16, 2017, following her attempt to gain access to a secured location in a local medical facility to practice medicine, including making representations to staff at the facility that she was authorized to practice medicine and authorized to access the secured areas of the facility. The Panel determined that Respondent's conduct constituted a violation of her ICPA.

5. Based upon paragraphs 1-4, the Panel has objective and reasonable grounds to believe and finds that Respondent deliberately and willfully violated the Medical Practice Act and/or that the public health, safety, or welfare imperatively requires emergency action.

6. The Panel incorporates paragraphs 1 through 5 in its findings for this Order of Suspension from the Practice of Medicine.

7. The Panel is therefore authorized by Section 24-4-104(4), C.R.S. to suspend Respondent's license to practice medicine in this state pending proceedings for suspension or revocation.

8. Upon becoming effective, this Order of Suspension shall be open to public inspection and shall be publicized pursuant to the Board's standard policies and procedures. It will be reported to the Federation of State Medical Boards, the National Practitioner Data Bank and as otherwise required by law.

WHEREFORE, it is ordered that:

1. Respondent's license to practice medicine in this state is hereby suspended, effective at 5:00 p.m., Friday, October 20, 2017.
2. The suspension shall remain in effect until resolution of this matter.

ENTERED this 20 day of October, 2017.

**FOR THE COLORADO MEDICAL BOARD
INQUIRY PANEL B**

A solid black rectangular box used to redact the signature of Paula E. Martinez.

Paula E. Martinez
Program Director
Colorado Medical Board
1560 Broadway, Suite 1300
Denver, Colorado 80202

Delegated by Panel B to sign on its behalf