

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

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

IN THE MATTER
OF
GENE SANKIN, M.D.

STATEMENT
OF
CHARGES

GENE SANKIN, M.D., the Respondent, was authorized to practice medicine in New York State on or about June 30, 2014 by the issuance of license number 275921 by the New York State Education Department.

FACTUAL ALLEGATIONS

- A. On or about April 17, 2009, Respondent entered into a Participation agreement with the Committee for Physician Health ("CPH") program in New York State. On or about July 9, 2013, Respondent knowingly made a false representation, and with intent to mislead, stated in an attachment to his application for licensure with the New York State Education Department, Office of the Professions, that he had been compliant with all conditions for participation and recommendations of the Committee for Physician Health ("CPH") when he had not been compliant with the conditions of the CPH program.
- B. On or about September 18, 2014, in his application for employment with Champlain Valley Hospital Program (CVHP), Respondent knowingly and with intent to mislead stated "no" in response to Section 7.B., question 1, which asked "Has your employment, or medical staff appointment and/or clinical privileges ever been voluntarily or involuntarily relinquished, or suspended, diminished, revoked, refused, denied, withdrawn, subjected to probationary or other conditions, reduced or not renewed at any hospital or other health care facility?", when he had

- voluntarily relinquished his position as a resident at Danbury Hospital, Danbury, Connecticut in or about December 2008.
- C. On or about September 18, 2014, in his application for employment with Champlain Valley Hospital Program (CVHP), Respondent knowingly made a false representation and with intent to mislead omitted his residency program at Danbury Hospital, Danbury, Connecticut in the section regarding "POSTGRADUATE TRAINING".
- D. On or about October 3, 2014, in his application for employment with Quest and Visiting Physicians Association, Respondent knowingly and with intent to mislead stated "no" in response to question 3 "Has your medical staff membership or medical staff status at any hospital ever been limited, suspended, revoked, denied, reduced, voluntarily relinquished, not renewed, or subject to probationary conditions, or have proceedings toward any of those ends been instituted or recommended by a medical staff official, committee, or governing board?", when he had voluntarily relinquished his position as a resident at Danbury Hospital, Danbury, Connecticut in or about December 2008.
- E. On or about October 28, 2014, Susan Hill, MA, LMHC, CASAC, Assistant Director, CPH sent Respondent a letter stating: "Congratulations on the completion of your agreement with the Committee for Physician Health program due to your Interstate Agreement with New Jersey".
- F. In or about March 2015, in his application for employment with Ellis Medicine, Schenectady, New York, Respondent knowingly made a false representation, and with intent to mislead, attached an altered version of the October 28, 2014 CPH letter to his application, that stated: "Congratulations on the completion of your agreement with the Committee for Physician Health program." In so doing, Respondent omitted the information from the letter that the reason for his

completion of the New York State CPH program was due to his interstate transfer agreement with the New Jersey Physician Health program.

- G. On or about October 31, 2016, Respondent knowingly made a false representation, and with intent to mislead, stated in an attachment to his application for medical staff privileges to Good Samaritan Hospital of Suffern an "Explanation of timeline gaps I can claim over 7 years of documented abstinence/sobriety" when Respondent knew he had not been abstinent or sober for over seven years.

SPECIFICATION OF CHARGES

FIRST SPECIFICATION

FRAUDULENTLY OBTAINING LICENSE

Respondent is charged with committing professional misconduct as defined by N.Y. Educ. Law § 6530(1) by obtaining his license fraudulently, as alleged in the facts of the following:

1. Paragraph A.

SECOND SPECIFICATION THROUGH SEVENTH 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. Paragraph B.
3. Paragraph C.
4. Paragraph D.
5. Paragraphs E. and F.
6. Paragraph G.

SEVENTH THROUGH TWELFTH SPECIFICATION

FALSE REPORT

Respondent is charged with committing professional misconduct as defined in N.Y. Educ. Law § 6530(21) by willfully making or filing a false report, or failing to file a report required by law or by the department of health or the education department, as alleged in the facts of:

7. Paragraph A.
8. Paragraph B.
9. Paragraph C.
10. Paragraph D.
11. Paragraphs E. and F.
12. Paragraph G.

THIRTEENTH THROUGH SEVENTEENTH SPECIFICATION

MORAL UNFITNESS

Respondent is charged with committing professional misconduct as defined in N.Y. Educ. Law § 6530(20) by engaging in conduct in the practice of the profession of medicine that evidences moral unfitness to practice as alleged in the facts of the following:

13. Paragraph B.
14. Paragraph C.
15. Paragraph D.
16. Paragraphs E. and F.
17. Paragraph G.

DATE: September 27, 2018
New York, New York


HENRY WEINTRAUB
Chief Counsel
Bureau of Professional Medical Conduct