

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

IN THE MATTER
OF
MAHMOUD GHADERI, D.O.

STATEMENT
OF
CHARGES

MAHMOUD GHADERI, D.O., the Respondent, was authorized to practice medicine in New York State on or about June 22, 1999, by the issuance of license number 214399 by the New York State Education Department.

FACTUAL ALLEGATIONS

- A. On or about July 23, 2018, in the Court of Common Pleas of Delaware County, Pennsylvania Criminal Division, Respondent, after a plea of nolo contendere, was convicted of Indecent Assault Without Consent of Other, pursuant to Pennsylvania Statute 18 § 3126(a)(1) and sentenced to three months' electronic home monitoring and two years' probation.
- B. On or about June 12, 2019, the Pennsylvania State Board of Osteopathic Medicine (hereinafter "Pennsylvania Board") issued an Order which approved and adopted a Consent Order signed on May 16, 2019, which indefinitely suspended Respondent's license to practice as an osteopathic physician and surgeon. This disciplinary action was agreed upon based on Respondent's conviction of a felony, a crime involving moral turpitude, or a crime related to the practice osteopathic medicine.

C. The conduct resulting in the Pennsylvania Board's disciplinary action against 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(9)(a)(iii) (Being convicted of committing an act under the law of another jurisdiction and which, if committed within this state, would have constituted a crime under New York state law).

SPECIFICATION OF CHARGES

FIRST SPECIFICATION

CRIMINAL CONVICTION (Other Jurisdiction)

Respondent is charged with committing professional misconduct as defined in N.Y. Educ. Law § 6530(9)(a)(iii) by having been convicted of committing an act constituting a crime under the law of another jurisdiction and which, if committed within this state, would have constituted a crime under New York state law (namely N.Y. Penal Law § 130.55) as alleged in the facts of the following:

1. The facts in Paragraph A.

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 (namely N.Y. Educ. Law § 6530(9)(a)(iii)) as alleged in the facts of the following:

2. The facts in Paragraphs B and C and C.1

DATE: September 17, 2020
Albany, New York



TIMOTHY G. MAHAR
Deputy Counsel
Bureau of Professional Medical Conduct