

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

IN THE MATTER

OF

MELISSA ANGLERO, D.O.

STATEMENT

OF

CHARGES

MELISSA ANGLERO, D.O., the Respondent, was authorized to practice medicine in New York State on or about 04/13/2010 by the issuance of license number 256755 by the New York State Education Department.

FACTUAL ALLEGATIONS

- A. On or about 06/25/2019, following a hearing, the Virginia Board of Medicine issued an Order revoking Respondent's license to practice osteopathy and surgery. The Order was based, in part, on Respondent's conduct, care, and treatment of six patients while employed as a physician at an obstetrical-gynecological practice and practicing hospital in Chesapeake, Virginia from approximately August 1, 2012 to April 1, 2015. Specifically, Respondent failed to timely respond to pages and calls from the hospital when she was the on-call physician for multiple patients; failed to adequately assess and treat one patient for incompetent cervix and premature labor, resulting in fetal demise; failed to properly manage or maintain accurate patient records; and engaged in a pattern of unprofessional and disruptive conduct that interfered with patient care.
- B. The Order was also based on Respondent's misrepresentation of facts and providing fraudulent, false, and misleading information in her Application for Licensure to Practice Medicine and Surgery in Virginia, her application for medical licensure in North Carolina, her applications for employment and hospital privileges, and on her Virginia Board of Medicine Practitioner Profile.
- C. The Order found Respondent guilty of numerous counts of unprofessional conduct under Virginia Code § 54.102915 (A), including sections (1) false statements or representations of

fraud, (3) intentional or negligent conduct, (4) mental or physical incapacity or incompetence to practice her professional safely, (12) conducting her practice in a manner contrary to the standards of ethics, (13) conducting her practice in a manner as to be a danger to the health and welfare of patients, and (16) performing any act likely to deceive, defraud, or harm the public.

- D. The conduct resulting in the Virginia disciplinary action against Respondent would constitute misconduct under the laws of New York State pursuant to the following sections of New York State Law:
1. New York Education Law § 6530(1) (obtaining the license fraudulently); and/or
 2. New York Education Law § 6530 (2) (practicing the profession fraudulently); and/or
 3. New York Education Law § 6530 (3) (practicing the profession with negligence on more than one occasion); and/or
 4. New York Education Law § 6530 (5) (practicing the profession with incompetence on more than one occasion); and/or
 5. New York Education Law § 6530(32) (failing to maintain a record for each patient which accurately reflects the evaluation and treatment of the patient)
- E. On or about August 27, 1992, in Yonkers City Court, Yonkers, New York, Respondent was convicted, upon her guilty plea, of Petit Larceny (Penal Law § 155.25), an A misdemeanor, and was sentenced to a surcharge, three-year term of probation, and restitution in the amount of \$5, 321.00.
- F. On or about 07/01/2009, Respondent signed an Application for Licensure and First Registration, which was submitted to the New York State Education Department. In this application, Respondent answered "No" to the question which asked, "Have you ever been found guilty after trial, or pleaded guilty, no contest, or nolo contendere to a crime (felony or misdemeanor) in any court?" In failing to disclose her misdemeanor criminal conviction, Respondent's answer to the conviction question was false, she knew the answer was false, and she intended to mislead through false representation.

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 (namely N.Y. Educ. Law §§ [1], [2], [3], [5], [32]) as alleged in the facts of the following:

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

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 [1], [2], [3], [5], [32]) as alleged in the facts of the following:

2. The facts in Paragraphs A, B, C, and D.

THIRD SPECIFICATION
FRAUDULENT OBTAINMENT

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

3. The facts in Paragraphs E and F.

FOURTH 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:

4. The facts in Paragraphs E and F.

FIFTH 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:

5. The facts in Paragraphs E and F.

DATE: August 28, 2020
Albany, New York



Timothy J. Mahar, Esq.
Deputy Counsel
Bureau of Professional Medical Conduct