

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

IN THE MATTER  
OF  
MIGUEL SAMUEL WEST, M.D.

STATEMENT  
OF  
CHARGES

MIGUEL SAMUEL WEST, M.D., the Respondent, was authorized to practice medicine in New York State on or about July 23, 1984 by the issuance of license number 159292 by the New York State Education Department.

**FACTUAL ALLEGATIONS**

A. On or about June 12, 2018 the State of Maine Board of Licensure in Medicine issued a Consent Order between the Board and the Respondent converting the Respondent's medical license to an Administrative license limiting Respondent's practice of medicine to the practice of administrative medicine only and restricting Respondent from applying for any license in Maine that authorizes the clinical practice of medicine. The Consent Order resolved allegations that Respondent violated the standard of professional behavior established for the practice of medicine and did not meet the standard of care for two patients. On or about November 22, 2016 Respondent performed a left colon resection on Patient A and removed a section that showed no pathologic abnormalities. Patient A subsequently had to undergo an additional surgery to remove the inflamed sigmoid bowel. On or about December 14, 2016, Respondent operated on Patient B for gastric outlet obstruction secondary to ulcer disease and continued with surgery after finding ascites and diffuse thickening of the entire stomach which could be evidence of undiagnosed advanced gastric cancer.

B. The conduct resulting in the Maine 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(3) (practicing the profession with negligence on more than one occasion)

**SPECIFICATION OF CHARGES**

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 medical misconduct under the laws of New York State (namely N.Y. Educ. Law § 6530(3) as alleged in the facts of the following:

1. Paragraphs A and B

DATE: September 4, 2020  
Albany, New York



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Timothy J. Mahar  
Deputy Counsel  
Bureau of Professional Medical Conduct