



Department of Health

ANDREW M. CUOMO
Governor

HOWARD A. ZUCKER, M.D., J.D.
Commissioner

LISA J. PINO, M.A., J.D.
Executive Deputy Commissioner

December 1, 2020

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

Trudy A. Menard, Esq.
NYS Department of Health
Bureau of Professional Medical Conduct
Room 2512, Corning Tower Building
Empire State Plaza
Albany, New York 12237

Tasha Monique Anderson, PA


RE: In the Matter of Tasha Monique Anderson, P.A.

Dear Parties:

Enclosed please find the Determination and Order (No. 20-293) of the Hearing Committee in the above referenced matter. This Determination and Order shall be deemed effective upon the receipt or seven (7) days after mailing by certified mail as per the provisions of §230, subdivision 10, paragraph (h) of the New York State Public Health Law.

Five days after receipt of this Order, you will be required to deliver to the Board of Professional Medical Conduct your license to practice medicine together with the registration certificate. Delivery shall be by either certified mail or in person to:

Office of Professional Medical Conduct
New York State Department of Health
Office of Professional Medical Conduct
Riverview Center
150 Broadway - Suite 355
Albany, New York 12204

If your license or registration certificate is lost, misplaced or its whereabouts is otherwise unknown, you shall submit an affidavit to that effect. If subsequently you locate the requested items, they must then be delivered to the Office of Professional Medical Conduct in the manner noted above.

As prescribed by the New York State Public Health Law §230, subdivision 10, paragraph (i), (McKinney Supp. 2015) and §230-c subdivisions 1 through 5, (McKinney Supp. 2015), "the determination of a committee on professional medical conduct may be reviewed by the

Administrative Review Board for professional medical conduct." Either the licensee or the Department may seek a review of a committee determination.

Request for review of the Committee's determination by the Administrative Review Board stays penalties other than suspension or revocation until final determination by that Board. Summary orders are not stayed by Administrative Review Board reviews.

All notices of review must be served, by certified mail, upon the Administrative Review Board and the adverse party within fourteen (14) days of service and receipt of the enclosed Determination and Order.

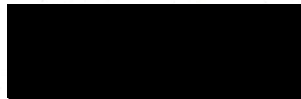
The notice of review served on the Administrative Review Board should be forwarded to:

James F. Horan, Esq., Chief Administrative Law Judge
New York State Department of Health
Bureau of Adjudication
Riverview Center
150 Broadway – Suite 510
Albany, New York 12204

The parties shall have 30 days from the notice of appeal in which to file their briefs to the Administrative Review Board. Six copies of all papers must also be sent to the attention of Mr. Horan at the above address and one copy to the other party. The stipulated record in this matter shall consist of the official hearing transcript(s) and all documents in evidence.

Parties will be notified by mail of the Administrative Review Board's Determination and Order.

Sincerely,



James F. Horan
Chief Administrative Law Judge
Bureau of Adjudication

JFH: cmg
Enclosure

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

COPY

-----X
IN THE MATTER
OF
TASHA MONIQUE ANDERSON, P.A.
-----X

DETERMINATION
AND
ORDER
BPMC-20-293

A hearing was held on November 18, 2020, remotely by videoconference. Pursuant to Public Health Law (PHL) § 230(10)(e), **Reid T. Muller, M.D., Chairperson, Anthony Marinello, M.D., and Myra Nathan, Ph.D.**, duly designated members of the State Board for Professional Medical Conduct, served as the Hearing Committee in this matter. **Tina M. Champion**, Administrative Law Judge (ALJ), served as the Administrative Officer.

The Department appeared by Trudy A. Menard, Senior Attorney. A Notice of Referral Proceeding and Statement of Charges, both dated September 18, 2020, were duly served upon Tasha Monique Anderson, P.A., (Respondent), who did not appear at the hearing.¹

The Hearing Committee received and examined documents from the Department. (Exhibits 1-5.) The ALJ marked one exhibit into the hearing record. (ALJ Ex. I.) A stenographic reporter prepared a transcript of the proceeding.

¹ The Notice of Referral Proceeding stated that the hearing would be held at the offices of the New York State Department of Health in Menands, New York (Department Offices) or by videoconference. Due to COVID-19 restrictions, the ALJ sent the Respondent a letter dated November 6, 2020 informing her that the proceedings would commence remotely via WebEx and directed her to contact the Bureau of Adjudication to provide an email address to receive an invitation to join the hearing if she wished to participate. (ALJ Ex. I.) The Respondent did not contact the Bureau of Adjudication, nor did she appear at the Department Offices on the day of the hearing.

BACKGROUND

The Department brought this case pursuant to PHL § 230(10)(p), which provides for a hearing when a licensee is charged solely with a violation of Educ. Law § 6530(9). The Respondent is charged with one specification of professional misconduct pursuant to Educ. Law § 6530(9)(d) for “[h]aving 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.” Pursuant to PHL § 230(10), the Department has the burden of proving its case by a preponderance of the evidence. Any licensee found guilty of professional misconduct under the procedures prescribed in PHL § 230 “shall be subject to penalties as prescribed in [PHL § 230-a] except that the charges may be dismissed in the interest of justice.”

FINDINGS OF FACT

The following findings and conclusions are the unanimous determinations of the Hearing Committee:

1. On February 23, 2010, Tasha Monique Anderson, P.A., the Respondent, was authorized to practice as a physician assistant in New York State by issuance of license number 013877. (Dept. Ex. 6.)
2. The Respondent was licensed to practice as a physician assistant in Maryland on January 2, 2014 by issuance of license number C05296. (Dept. Ex. 3.)
3. On January 2, 2019, the Respondent surrendered her Maryland physician assistant license after violating the terms of a December 14, 2017 Consent Order with the Maryland State

Board of Physicians (Maryland Consent Order). The Maryland Consent Order suspended the Respondent's Maryland physician assistant license for six months. Subsequent to the Maryland Consent Order, the Maryland State Board of Physicians received several complaints dated April 17, 2018 and later that the Respondent was violating the Maryland Consent Order by practicing while her license was suspended. (Dept. Ex. 3.)

4. The Respondent has a history of discipline in New York State. Specifically, the Respondent entered into a Consent Agreement with the New York State Board for Professional Medical Conduct in January 2017. This Consent Agreement and resulting Consent Order was based on charges that the Respondent had disciplinary action taken against her physician assistant license in Maryland in 2015 based on charges that she fraudulently wrote approximately 17 prescriptions for a controlled substance in the names of other providers and filled the prescriptions for her own use. (Dept. Ex. 2.)

VOTE OF THE HEARING COMMITTEE

The Hearing Committee, by a vote of 3-0, sustains the charge that the Respondent committed professional misconduct as defined in Educ. Law § 6530(9)(d).

HEARING COMMITTEE DETERMINATIONS

The Hearing Committee concludes that the conduct resulting in the disciplinary action, if committed in New York State, would constitute professional misconduct under the laws of New York State as defined in:

Educ. Law § 6530(12) – “[p]racticing the profession while the license is suspended or inactive”,

Educ. Law § 6530(15) – “[f]ailure to comply with an order issued pursuant to subdivision seven, paragraph (a) of subdivision ten, and subdivision seventeen of section two hundred thirty of the public health law”, and

Educ. Law § 6530(29) – “[v]iolating any term of probation or condition or limitation imposed on the licensee pursuant to section two hundred thirty of the public health law”.

The Department has recommended that the Respondent’s license to practice as a physician assistant in New York State be revoked. The Hearing Committee unanimously agrees with the Department’s recommendation given the serious nature of the conduct underlying Maryland’s disciplinary action, the Respondent’s history of disciplinary action, and the Respondent’s failure to appear at the hearing or respond in any manner to the charges and allegations.

ORDER

Now, after reviewing the evidence from the hearing, it is hereby ordered that:


1. The specification of professional misconduct as set forth in the Statement of Charges is sustained;
2. The Respondent’s license to practice as a physician assistant in the State of New York is revoked; and
3. This Order shall be effective upon service on the Respondent in accordance with the requirements of PHL § 230(10)(h).

Dated: Albany, New York
November _____, 2020

NYS DEPT OF HEALTH

NOV 30 2020

**Division of Legal Affairs
Bureau of Adjudication**


Reid T. Muller, M.D., Chairperson
Anthony Marinello, M.D.
Myra Nathan, Ph.D.

Trudy A. Menard
Senior Attorney
New York State Department of Health
Bureau of Professional Medical Conduct
Room 2512, Corning Tower, ESP
Albany, New York 12237

Tasha Monique Anderson, P.A.



APPENDIX I

IN THE MATTER
OF
TASHA MONIQUE ANDERSON, P.A.

STATEMENT
OF
CHARGES

TASHA MONIQUE ANDERSON, P.A., the Respondent, was authorized to practice as a Physician Assistant in New York State on or about February 22, 2010 by the issuance of license number 013877 by the New York State Education Department.

FACTUAL ALLEGATIONS

A. On or about January 2, 2019, Respondent surrendered her Maryland physician assistant license after violating the terms of a previous Consent Order with Maryland State Board of Physicians, dated December 14, 2017. The 2017 Consent Order suspended Respondent's Maryland physician assistant license for six months. Subsequent to this Order, the Board received several complaints dated April 17, 2018 and later that Respondent was violating the 2017 Maryland Consent Order by practicing while her license was suspended by operating medical equipment, administering injections and signing patient progress notes and billing sheets.

B. The conduct resulting in the Maryland 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 (12) (Practicing the profession while the license is suspended)
2. New York Education Law § 6530 (15) (Failure to comply with an order)
3. New York Education Law § 6530 (29) (Violating any term of probation or condition imposed on licensee)

SPECIFICATION OF CHARGES

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 (12), § 6530 (15), § 6530 (29) as alleged in the facts of the following:

1. Paragraphs A and B.

DATE: September 18, 2020
Albany, New York



Timothy J. Mahar
Deputy Counsel
Bureau of Professional Medical Conduct