

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

IN THE MATTER
OF
JONATHAN KIEV, M.D.

AMENDED
STATEMENT
OF
CHARGES

JONATHAN KIEV, M.D., the Respondent, was authorized to practice medicine in New York State on or about 06/21/2007, by the issuance of license number 244740 by the New York State Education Department.

FACTUAL ALLEGATIONS

A. On or about 03/10/2020, the Respondent entered into a Consent Order with the Department of Financial and Professional Regulation of the State of Illinois, Division of Professional Regulation. The Order imposed disciplinary action against Respondent for unauthorized prescribing to two individuals. First, Respondent authorized a refill of his girlfriend's Xanax prescription. His girlfriend was not a patient and Respondent did not maintain any medical record associated with the prescription. Second, Respondent, on four occasions between 2017 and 2019, prescribed Tylenol with codeine, a controlled substance, to a personal acquaintance of his. That individual was not a patient and Respondent did not maintain any medical records associated with the prescriptions. Pursuant to the Order, Respondent was reprimanded, placed on probation for 30 days, and fined \$10,000.00.

B. The conduct resulting in the Illinois disciplinary action against Respondent could 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(2) (practicing the profession fraudulently or beyond its authorized scope); and/or


2. New York Education Law § 6530(3) (practicing the profession with negligence on more than one occasion); and/or
3. New York Education Law § 6530(32) (failing to maintain a record for each patient which accurately reflects the evaluation and treatment of the patient)

SPECIFICATION OF CHARGES
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[2], and/or 6530[3], and/or 6530[32]) as alleged in the facts of the following:

1. Paragraphs A and B.

DATE: January 21, 2021
Albany, New York


TIMOTHY J. MAHAR
Deputy Counsel
Bureau of Professional Medical Conduct